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No. 28

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. STEARNS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 23, 1999.

I hereby appoint the Honorable CLIFF STEARNS to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) for 5 minutes.

WHY ARE CITIZENS IN THE TERRITORIES DENIED WHAT ALL OTHER CITIZENS ARE GUARANTEED?

Mr. ROMERO-BARCELÓ. Mr. Speaker, I am pleased to stand before you as we return from the district work session. The impeachment trial is officially behind us, and the Nation is ready for congressional action. The American people expect us all to work together in a spirit of cooperation and bipartisan so that we can renew national confidence for a strong and uni-

fied America. It is now time to set aside the differences that have divided us along party lines and work together for the good of the country.

Yesterday we commemorated George Washington's birthday, an everlasting model of leadership and achievement, 200 years ago, as our first President ably led the United States from revolution into democracy.

Today, there are many issues that claim congressional attention for immediate action, including specific improvements for Social Security, education, greater access to health care, employment, taxes, the environment and economic opportunity and prosperity.

Our Nation faces many challenges on the eve of the millennium, but inherent in those challenges are a great many opportunities. Our Nation has flourished during this decade and right now, as we face the new millennium, the most appropriate message we can provide to all Americans is to express our commitment to the fundamental values of our democracy.

As new initiatives to benefit American citizens, immigrants and the children of undocumented immigrants in the country are developed and implemented, I do not see the same concern for the 3.8 million United States citizens in Puerto Rico. The Americans in the island continue to be neglected and discriminated against by being barred from equitable participation in the most fundamental rights of citizenship, the right to vote and the right to representation, not to mention participation in the safety net programs that provide basic relief to the neediest in the Nation, the disadvantaged, the aged, the handicapped and the children.

It is distressing to behold that, by virtue of living in a territory, some American citizens do not have the same rights and benefits as all other Americans in the Nation. Why are citizens in the territories denied what all

other citizens are guaranteed? Are there two different kinds of citizenship in our Nation, the example of democracy?

What is even more discouraging is that not only the great expectations for future success and equal participation do not apply to Puerto Ricans in the islands but that residents in the island will continue to lag further and further behind as they are fenced out from the rest of the Nation.

Throughout my political life, I have fought to provide equality for the United States citizens in Puerto Rico and I wonder how our Nation can continue to maintain separate but equal policies similar to the discriminatory policies that were the force that brought about the enactment of the Civil Rights Act of 1964.

I am compelled to provide a voice for the thousands of low income, disadvantaged, the handicapped, elderly and children who are deprived of the most basic safety net programs that all other Americans and immigrants can participate in the 50 States of the Union. It is terrible to consider that our Nation's commitment to equality in health does not extend to the American citizens in Puerto Rico or in Guam or in the Virgin Islands and thus deprives us of the necessary medical care that may prove the difference between life and death by virtue of the fact that we reside in a territory. Health discrimination is an abomination.

This includes Medicaid, for which Puerto Rico, contrary to the policy for all other States, receives a block grant capped this year at \$171.5 million. I am also talking about our exclusion from supplemental security income, the supplemental income that ensures blind, disadvantaged and handicapped individuals have income protection. I am also talking about Medicare and how reimbursement for providers has been set at a lower rate despite the fact that

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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costs are comparable to the provision of services in many States.

Unfortunately, as the Nation benefits from the tremendous budget surplus, the Americans in the territory will also be excluded from many of the most significant policy initiatives presented this session.

The \$500 billion Social Security enhancement proposed by the Universal Savings Accounts, commonly referred to as the USA accounts, will not apply to the citizens in the island, even though we contribute to Social Security equally as all other citizens. What is more, money from our contributions to the Social Security funds will be used to manage and administer the program which will be denied to us.

But this initiative is just one of the many new proposals that will not apply to the nearly 4 million U.S. citizens in Puerto Rico. Many other proposals, ranging from welfare to work, to building new schools, to providing incentives to workers and even the empowerment zones and the new market initiatives that aim to simulate the economic, will bypass us in the next century. We will not have the opportunity to contribute to the well-being of the economy nor participate in the tax credits that are being proposed.

Mr. Speaker, I feel compelled to bring these matters to your attention and to the attention of all my colleagues in Congress, because our Nation must do something to ensure that the American citizens in Puerto Rico are equal Americans. How can our Nation stand as a model for the world when it maintains a policy of discrimination, a policy of economic and political apartheid?

For 100 years, we have stood shoulder to shoulder as we have defended freedom and democratic values wherever and whenever it has been needed in the world. As we enter the millennium, we should not be pushed behind our fellow citizens in the 50 States. It is a national shame that in our country American citizens must time and time again beg to be given equal access to the programs that will promote economic prosperity, health and well-being.

REGARDING A 2-YEAR FEDERAL BUDGET PROCESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Ohio (Mr. REGULA) is recognized during morning hour debates for 5 minutes.

Mr. REGULA. Mr. Speaker, on the first day of the 106th Congress I introduced H.R. 232, the Biennial Budget Act of 1999. This is an issue that I have been working on for the past 10 years, and I think it is time that we enact this important reform.

My legislation, and I might add that the Speaker pro tempore this morning has also introduced a similar bill, along with others, establishes a 2-year budget and appropriations cycle in-

tended to reduce the repetitive annual budget votes. It would also improve the entire process by allowing more time for long-term planning and careful oversight of government spending.

The bill converts the annual budget, appropriations and authorization process into a 2-year cycle. The first session of Congress would be devoted to decisions on budget and appropriations issues. The President would start the process by submitting a 2-year budget, which would cover the 2 years of the biennium, and planning levels for 2 additional years.

Then Congress would adopt a 2-year budget resolution, a 2-year reconciliation bill, if necessary, and 2-year appropriations bills during the first session of a Congress. The second year could be used to consider multiyear authorization bills and to oversight of Federal programs. We do not do enough oversight now. We do not have time with an annual budget to really look into programs to see if they are working well.

The current budget process consumes more and more of Congress' time. In 1996, budget votes totaled about 70 percent of all votes. It does not leave time for many of the other responsibilities of the Congress; and, obviously, it leaves less time for systematic oversight.

Another problem is that we do not get the appropriations bills done on time. Only twice since 1974 have we completed action on all of the 13 appropriations bills on time. Whereas, with a 2-year cycle, we would have the opportunity to get this legislation completed and then go into the oversight program.

Now, another benefit would be that federal managers, who are managing the taxpayers' funds, would know for 2 years how much they have to operate a park or other federal programs, and they could plan more wisely and could spend the money more efficiently.

I believe that the benefits of moving to the 2-year budget cycle would be many, including reducing repetitive budget votes, allowing Congress to engage in long-term planning and management reforms for Federal programs, improving the systematic oversight of current government programs, and providing greater stability and predictability in Federal spending.

I would just urge all my colleagues to take a look at H.R. 232 and sponsor this bill or some of the others, such as that introduced by our Speaker pro tempore today. It is an idea whose time has come, I think, as we try to manage the resources of our people and of our Nation more efficiently.

IT IS NOT ABOUT SPRAWL BUT ABOUT HOW WE BUILD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, yesterday there appeared an article in The New York Times entitled, "There's Plenty of Space for Suburbs to Keep Sprawling". This article, I feel, represents a wrong turn in the discussion about our communities and how to make them more livable. The facts are true but beside the point.

It is true that we have only increased the amount of developed land in this condition by two-tenths of a percent in recent years. It is true that we have a great deal of farmland. It is true that we are protecting more open space around the country. But I think it is important for us to take a deep breath, step back, and look at what those facts represent.

To suggest somehow that we do not have a problem in terms of development in this country because we have a large inventory of land is a lot like suggesting that just because the earth is 78 percent water we do not have problems of water supply and quality. The fact is for much of the world, and many places in the United States, we often have too much water or we do not have enough or it is too polluted or sometimes we have a combination of all three of those problems.

As it relates to the quantity of farmland, the fact is that we have generated this farmland in the past in ways that we are probably not likely to do in the future: filling in wetlands, irrigating the desert, destroying forest lands. Many of these practices today we now recognize are harmful. We no longer do it and, in fact, there is a very real question whether or not that is sustainable in the future, particularly given the lack of water supply in many parts of the country.

It is also true that while we have added to the inventory of publicly protected forests and park lands, that is simply a reaction to the fact that we have more and more of this space imperiled. The good Lord is not making more forests and open space. We are having increasing pressure on those areas that we have now, and so we have taken this extraordinary step of trying to buy and protect more and more of it. That is not adding to the inventory. That is trying to just simply hold on to what we have.

We need to look no further than the jewels of our national park system, the Grand Canyon, Yosemite, and Yellowstone, to see that we are severely under assault. Even in the Pacific Northwest, in my home area, the Mt. Hood National Forest and the Columbia River Gorge are subjected to problems of pollution, overcrowding, traffic congestion and development encroachment. It is an indication of the problems that we need to face in the future.

It is also suggested that government intervention has been part of the problem in the past, to which I say: Amen. But the question is, how are we going to proceed from this point? Even if sprawl were possible to sustain into the

future, is this the pattern of development that we want for our country? Do we want to live this way?

□ 1245

Increasingly, Americans from coast to coast, border to border are speaking out and suggesting that is not their desired approach. Citizens are taking matters into their own hands on State and local levels with initiatives to try and improve the quality of life. They know that there are better ways of spending our tax dollars, that just because we have failed in the past in comprehensive planning is no suggestion that we should not try and do a better job of planning in the future, and just because the government has not always been constructive in efforts that it has undertaken does not mean that there is not a role for the government to be a constructive partner in the future.

It does us no good to pretend that we do not have problems of growth and quality of life in our communities. The citizens know that that is the case. The evidence is overwhelming. Now is the opportunity for us, under the banner of making our communities more livable, to engage the government as a constructive partner, to plan thoughtfully for the future involving our communities, spending our infrastructure dollars more wisely and engaging in a new generation of environmental protection that is performance driven.

I look forward to the day when we can get away from the wrong turns of this debate and get back to a productive discussion of how we can work together to make our communities more livable.

IN SUPPORT OF REPEALING HOUSE RULE XXIII

The SPEAKER pro tempore (Mr. REGULA). Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, today I will be introducing legislation to require a separate vote before we raise the debt ceiling.

A lot of my colleagues will ask, why is this legislation necessary? Because often we allow the practice of raising the debt ceiling, the debt limit, to continue without a recorded vote. It is hidden within the budget resolution and passes without notice and, of course, without a vote.

Initially, this rule was added in the 96th Congress by public law and was originally applicable to concurrent resolutions on the budget for fiscal years beginning on or after October 1, 1980.

The rule was amended in the 98th Congress to reflect the enactment into law of a new permanent rather than temporary debt limit. The rule ties a passage of a concurrent budget resolution to an increase or a decrease in the limit of the public debt.

Legislation to repeal Rule XXIII would simply force Congress to vote separately on any increase in the public debt limit. Repealing this rule would simply force a floor vote on an increase or a decrease in the public debt; and this is a positive move, I think, for all of Americans.

Again I pose the question: Why is this so important we have such a vote? If we do not pass and repeal this Rule XXIII, we will continue to raise the debt limit with no type of accountability.

I would like to share with my colleagues some statistics that I think will help them to understand the relevance of what I am talking about.

In 1994, the debt ceiling of the United States Treasury was about \$49 billion, and we had a population then of about 132 million people. That is roughly about \$370 per person. Our population today is about 276 million people, and our debt now is approaching \$6 trillion. That is about \$22,450 per person.

In the 58 years since 1940, the U.S. population has doubled. Yet the debt ceiling has risen to about 121 times its 1940 level.

Now, when we start to talk about almost \$6 trillion, that kind of figure is beyond the understanding of most of us. If we put it in inches, it is the distance from the earth to the sun. In terms of the population of all of the earth, it is about \$1,000 for every person. It is a huge amount of money.

Mr. Speaker, as my colleagues know, House Rule XXIII stipulates, "upon the adoption by Congress of any concurrent resolution, the enrolling clerk of the House of Representatives shall prepare an engrossment of a joint resolution, increasing or decreasing the statutory limit on the public debt."

In other words, simply passing a budget subsequently raises the public debt limit. There are no votes on the matter, no floor debates, no nothing. Rule XXIII simply states that a vote for the budget "shall be deemed to have been a vote in favor of" raising the public debt limit.

It is way too easy here today and far too painless for us on the House floor to raise this public debt. It should not be easy, and it should not be painless, and we should have full debate. In fact, it should be very difficult; and, at the very least, it should be a publicly debated matter with a record vote.

So, Mr. Speaker, to remedy this situation I have this legislation which I will be dropping this morning; and I urge all of my colleagues to support it and just to call my office if they would like to be a cosponsor.

PHONEY POLITICAL DEFINITION OF "BALANCED BUDGET"

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Washington (Mr. METCALF) is recognized during morning hour debates for 5 minutes.

Mr. METCALF. Mr. Speaker, we have all heard that we have now done it. We have balanced the budget. We have solved the deficit problem. Lots of talk. No more deficits. Now we have a surplus. Lot of talk. How should we spend it? How should we spend it? Well, we could have tax cuts. We could beef up Social Security. We could beef up existing programs. Several things.

Let us get back to reality, back to the cruel facts. We have a surplus only by using a political definition of "a balanced budget." This definition was designed by the Democrats when they were in the majority to mask the size of the deficit. To our discredit, when we took over control of the Congress, we continued to use a phoney political definition of when the deficit is balanced. And the Republicans continued it, and that is wrong.

From September 30th, 1997, to September 30th, 1998, that is the last fiscal year, the 1998 fiscal year, an honest report showed that that was the first year we said we had a balanced budget. But an honest record shows that we had a \$22 billion deficit in that first year that we balanced the budget. Well, we cannot do both. In fact, the balanced budget was a political definition; and we still do have a deficit.

However, we are on target to balance the budget. Maybe this year. I hope we make it. I am not sure we will. But certainly we are on target for the near future.

Now, as people are lining up now as to how to spend the surplus, whenever it happens, there are several things. Safe Social Security is topmost on the list. But any major talk of the surplus that we will have in a few years must include pay down the debt. We must pay down the debt.

We are paying huge amounts of interest every year on that huge debt. In fact, it amounts right now to about \$270 billion a year in interest. If we can start paying down that debt, then we can lower the interest payments, which gives us more money to pay down the debt, which lowers the interest payments further, and soon we could have enough money to do the job we are supposed to do properly without the kind of things that we see happening now.

So all I am saying, the point of my talk is, this is the time to pay down the debt just as soon as possible. Start paying on it, just a little bit.

As I mentioned, the fiscal year that we first said we balanced the budget we went further in the hole \$22 billion. I called up the Treasury Department and I said, how much does the United States owe on that particular day, September 30, 1997? And they told me. And I said, how much did we owe on September 30, 1998? And they told me. And I used to be a math teacher and I can subtract, even if they are big numbers up in the billions. We over spent by \$22 billion in the first year that we claimed to have balanced the budget.

Let us have honest accounting and let us be careful to get into the position of a surplus and then pay down the debt.

IN OPPOSITION OF AFRICA GROWTH AND OPPORTUNITY ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I rise today to oppose H.R. 434, the Africa Growth and Opportunity Act. The more accurate name would be the NAFTA for Africa Act.

H.R. 434 does little to improve the lives of people in sub-Saharan Africa. In fact, there are no binding labor, environmental, human rights or other public interest provisions in this legislation but plenty of measures to ensure easy access to the region's human and material resources for U.S. corporations.

I understand the frustration of Africa's supporters. We have seen our government side too often with the worst dictators in Africa, respond all too slowly to the evil of apartheid, and turn its back on the victims of genocide in Rwanda.

More pertinent, we have seen Members of Congress who are the staunchest supporters of NAFTA for Africa vote again and again against increased aid for that continent.

But a bad bill, Mr. Speaker, is worse than no bill. Last session, this Congress did the right thing in defeating fast track not once but twice, defeated the efforts of some to extend NAFTA to the rest of Latin America. Unfortunately, H.R. 434, NAFTA for Africa, would undo that victory. It completely ignores the all-important test that we established in our fight against fast track: No trade agreement unless labor and environmental problems are written into the core agreement. This bill puts us back where we started.

The supporters of H.R. 434 claim the bill contains labor rights and standards because some of the bill's trade provisions are based on the Generalized System of Preferences, GSP. In fact, GSP labor rights provisions are hampered by weak enforcement mechanisms.

Under GSP, the President merely has to certify that the affected country is "taking steps" towards the protection of labor rights. This vague language has allowed notorious labor rights abusers like Guatemala to be certified as eligible for benefits.

Moreover, GSP labor rights cannot be enforced through private action, meaning that when a country is clearly not taking steps to protect worker rights but nonetheless is certified as doing so, no legal action can be taken by U.S. citizens to force presidential decertification. The only alternative is a time-consuming petition process which ultimately results in the rejection of the petition in every case with no right of appeal.

Finally, GSP labor rights provisions impose no obligations on corporations, just on governments. Corporations that violate worker rights will continue, as they have, to enjoy market access benefits just as long as the country in which they are operating in has been certified as eligible for benefits.

A recent amendment to H.R. 434 offered by my colleague, the gentleman from Connecticut (Mr. GEJDENSON), placed labor rights on the list of criteria that African countries are supposed to meet in order to obtain benefits under this bill. While this amendment was a step in the right direction, it simply does not provide sufficient protection for workers.

There is no labor enforcement mechanism. Instead, the well-being of African workers rests on the President's determination that the country is making progress toward respecting labor rights.

The amendment that I offered in the Committee on International Relations markup attempted to correct this problem by adding strong enforcement language and giving U.S. citizens the right to challenge the President's country eligibility determination in U.S. district court. Unfortunately, because the backers of H.R. 434 opposed this amendment, it was ruled out of order by the chair.

We need trade agreements that act as if people mattered. Considering the devastating effects that NAFTA has had on Mexico's small, independent manufacturing and retail enterprises and on its small agricultural producers and on the country as a whole, it seems less than generous to expand this regime to Africa. It is certainly not in the interest of the African people. It is certainly not in the interest of the American people.

This Congress should not inflict a rejected and backward trade model on the continent of Africa. I urge my colleagues to support this bill, to support the Jackson trade bill for Africa which includes unambiguous and meaningful enforcement mechanisms to protect the rights and the well-being of African workers.

□ 1300

WHO DECIDES: WASHINGTON OR YOU?

The SPEAKER pro tempore (Mr. STEARNS). Under the Speaker's announced policy of January 19, 1999, the gentleman from Georgia (Mr. LINDER) is recognized during morning hour debates for 5 minutes.

Mr. LINDER. Mr. Speaker, I am not certain how many Americans heard well the President's recent speeches, but his comments spoke volumes about his views of freedom. It also addressed the great political debate going on in this country today which has been going on since 1994, and it can be summed up on a bumper sticker: "Who Decides, Washington or You?"

The President, in Buffalo shortly after the State of the Union address, was discussing the surplus, a huge surplus, nearly \$5 trillion over the next 15 years, to be collected by the government above and beyond what we need to spend to continue the government, and this is what he said: "We could give it all back to you and hope you spend it right, but—"

That says volumes. The President then proceeded to imply he really cannot give it back to the American people because government makes wiser choices than they do. He does not trust the American people to make these choices on their own behalf. He has embraced in whole cloth, it seems to me, the theme of the 1958 book by John Kenneth Galbraith entitled, "The Affluent Society."

The entire theme of that book is this: It is not that Americans have too little, they have too much, that they make bad choices with their dollars, and it is the obligation of an educated government to tax those dollars from them and make better choices on their behalf. Who decides, Washington or you?

That is the debate we are in. That is the debate on taxes. Looking at nearly \$5 trillion in surpluses over the next 15 years, the President proposed 40 new mandatory spending programs, adding new discretionary spending programs and not one penny for tax relief. Indeed, it does not even protect Social Security because we are increasing the debt to Social Security by about \$1 trillion over 10 years that the government will owe it.

In a recent book entitled, "The Vision of the Anointed," Thomas Sowell points out that for so long as we have had free people, we have had among them those anointed with the vision of how to spend their money, how to make their choices for them.

That is the debate we are in. The President would like to shape a future with your money for our children and grandchildren that is warm and secure and fair. Our side says, "We don't know how to do that." I could not satisfy 10 percent of America because everyone comes to the table with different hopes and dreams and aspirations. I can shape a future that my daughter would love and my son would hate.

So our side says, no, leave those choices in your pockets; and you and 270 million other Americans, acting on your own behalf hundreds of times a week, will shape the future. We trust you to shape that future. We believe in the Ronald Reagan principle: It is not the function of government to bestow happiness. That is your job. And if we can get the government out of your way and let you have more freedom and more opportunity, you will choose a future that most of America will not only enjoy but thrive in.

We would like to do that beginning right now by letting you keep more of what you earn, not collecting \$300 billion a year more than it takes us to

run the government, and let you shape the future for us.

NATIONAL TRIO DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Delaware (Mr. CASTLE) is recognized during morning hour debates for 5 minutes.

Mr. CASTLE. Mr. Speaker, I rise today to join in the celebration of National TRIO Day. National TRIO Day was designated by concurrent resolution on February 24, 1986, by the 99th Congress. It is celebrated on the last Saturday of February each year as a day of recognition for the federal TRIO program.

The TRIO programs, Talent Search, Upward Bound, Upward Bound Math/Science, Veterans Upward Bound, Student Support Services, Ronald E. McNair Postbaccalaureate Achievement Program and Educational Achievement Centers, were established over 30 years ago to assist low-income students overcome class, social and cultural barriers to higher education.

Currently, 2,000 colleges, universities and community agencies sponsor TRIO programs. Over 780,000 low-income students between the ages of 11 and 27 benefit from the services of the TRIO programs. Most of these students come from families in which neither parent graduated from college. These students represent the highest aspirations and best hope for achieving the American dream. By lifting these students out of poverty and into productive and rewarding lives, the Nation is in turn lifted and given hope for a better future.

In Delaware, 13 TRIO programs are hosted through the Delaware Technical and Community College, the University of Delaware and Delaware State University. They serve 2,455 Delawareans.

Dr. Bertice Berry from Delaware is an excellent example of the success the TRIO program has endured. She was recognized as a TRIO achiever at a national conference. Dr. Berry was the sixth of seven children who grew up in Wilmington, Delaware. In 8th grade she was accepted into the Upward Bound Program at the University of Delaware, where she participated until entering college at Florida State University.

Dr. Berry obtained her undergraduate degree, a master's degree in sociology and a Ph.D. in sociology. She has rapidly become one of the most sought-after lecturers on the college speakers' circuit. She has authored two books and speaks regularly across the country. Dr. Berry attributes her success totally to the Upward Bound program.

Dr. Berry is just one of many success stories. TRIO graduates can be found in every occupation you can think of: as doctors, lawyers, astronauts, television reporters, actors and even Members of Congress.

I am pleased to be able to speak on behalf of the TRIO programs and Dr.

Berry. I encourage my colleagues to join me in visiting TRIO programs in your district to learn how valuable these vital programs can be for our Nation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 6 minutes p.m.), the House stood in recess until 2 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 2 p.m.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

May our hearts be open, O gracious God, to the greatness and wonder and beauty of Your creation. We know that often we set our sights too low and our eyes do not see Your grace and our souls do not welcome Your gifts. On this day we pray, O God, that in spite of all the necessary tasks that need to be done, we would hear Your voice that calls us to the blessings of prayer, praise and thanksgiving. For all Your wonders and all Your love to us and to all people we offer this our earnest prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. Traficant led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE HONORABLE BILL MCCOLLUM, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House a communication from the Honorable BILL MCCOLLUM, Member of Congress:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules

of the House that I received a subpoena for documents and testimony issued by the Superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

BILL MCCOLLUM,
Member of Congress.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 22, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: In accordance with Democratic Caucus Rules, I am writing to request a leave of absence, effective immediately, from the House Committee on Small Business for the duration of 106th Congress so that I may serve on the Permanent Select Committee on Intelligence.

Thank you for your attention to my request.

Sincerely,

NORMAN SISISKY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 12, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 12, 1999 at 3:30 p.m.

That the Senate passed without amendment H. Con. Res. 27.

With best wishes, I am

Sincerely,

JEFF TRANDAHL, Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 16, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 16, 1999 at 12:45 p.m.

That the Senate passed without amendment H. Con. Res. 19.

With best wishes, I am
Sincerely,

JEFF TRANDAH, *Clerk.*

PERMISSION TO INSERT PROGRAM AND REMARKS OF MEMBERS REPRESENTING THE HOUSE AT GEORGE WASHINGTON'S BIRTH- DAY CEREMONIES

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the program and the remarks of the gentleman from Virginia (Mr. WOLF) and the gentleman from Virginia (Mr. MORAN), the two Members representing the House of Representatives at the wreath-laying ceremony at the Washington Monument for the observance of George Washington's birthday on Monday, February 22, 1999, be inserted into today's CONGRESSIONAL RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

PRESIDENT GEORGE WASHINGTON

267TH BIRTHDAY OBSERVANCE

Monday, Feb. 22, 1999, Washington, DC

PROGRAM

Opening: Arnold Goldstein, Superintendent, National Capital Parks Central.

Presentation of Colors: Joint Armed Services Color Guard.

To the Colors: Old Guard Fife and Drum Corps.

Pledge of Allegiance: Michael Gutierrez, Cub Scout Pack 461, Bethesda, MD.

RETIRE THE COLORS

Welcome: Superintendent Goldstein.

Poetry Readings: Shawn Bolden, Tamika Wall, Emon Baritteau; Rudolph Elementary School; Washington, DC.

Musical Selection: Old Guard Fife and Drum Corps.

REMARKS

Russell Train, First Vice President, Washington National Monument Society.

Terry Carlstrom, Regional Director, National Capital Region, National Parks Service.

Hon. James P. Moran, Eighth District, Virginia, U.S. House of Representatives.

Hon. Frank R. Wolf, Tenth District, Virginia, U.S. House of Representatives.

PRESENTATION OF THE WREATHS

The Wreath of the U.S. House of Representatives, Hon. James P. Moran, and Hon. Frank R. Wolf.

The Wreath of the Washington National Monument Society, Russell Train.

The Wreath of the National Park Service, Terry Carlstrom.

TAPS

The National Park Service and the Washington National Monument Society acknowledge with appreciation Old Guard Fife and Drum Corps Military District of Washington.

"First in war, first in peace and first in the hearts of his countrymen."—Said by Lighthorse Harry Lee eulogizing George Washington.

A TRIBUTE TO GEORGE WASHINGTON

(By Congressman Frank R. Wolf)

Today is an important day. It is a day when we give honor to one of the greatest leaders the world has known—the Father of our Country, and our first president, George Washington.

I am proud to speak in his honor. He was born in Virginia and served America and the Commonwealth in important positions throughout his life. Washington was only 16 years old when Lord Fairfax, a land baron, sent him to the Shenandoah Valley, which I represent, to join a surveying party. He spent a number of years surveying frontier areas of Virginia and what is now West Virginia. The city of Winchester, which I also represent, is where Washington had his surveying office in 1748 and his headquarters during the construction of Fort Loudon in 1756 and 1757. That building still stands today.

Washington first ran for elected office from Frederick County. He lost the first time, but he was not to be deterred. He ran again and on July 24, 1758, was elected to a term in the House of Burgesses. He served in the House of Burgesses for more than 15 years, representing first Frederick County and later Fairfax County.

This monument is illustrative of the many buildings, monuments and historic sites which remind us of those who forged this land and gave us this great country. The Washington Monument inspires all Americans to greatness and to keep alive the values and principles for which men like George Washington stood—freedom, democracy, and patriotism.

George Washington gave us the greatest example of what it means to be an American in that he placed the good of the nation before his own personal interests. He inspired, and continues to inspire, men to greatness—not only by his greatness as a great military commander or by his political abilities as a man who literally founded this country—but by something even more foundational. By his character. By his virtue. Not necessarily by what he had done, but even more importantly, who he was, before God and before men.

In 1789, Washington was elected to serve as the first President of the United States by unanimous vote. His ability to lead the nation as well as he had led its army was soon recognized, even by those who had opposed him.

Through the years of hard work and unselfish devotion, Washington, together with our founding fathers, launched the new government on its course and laid the foundation for a strong government which has well-served each succeeding generation of American citizens.

This year is especially significant in remembering George Washington because we will commemorate his death 200 year ago. He died at the age of 67 at his home in nearby Mount Vernon, where special events will take place throughout this year in remembrance of his passing. And although we will pay tribute to him throughout 1999, we know that the memory of him will never fade, as long as there is an America.

George Washington had a vision—a vision of a land that was marked by liberty and freedom for all men. But it was also a vision of a nation of people committed to their country, to the common good, and to one another. If we as a nation continue to work together to make our country great, not just materially, but great in goodness and in virtue, then that vision will continue to lead and guide us for generations to come. Thank you.

A TRIBUTE TO GEORGE WASHINGTON

(By Congressman James P. Moran)

We are assembled here today at this great Monument in remembrance of our first president, George Washington.

This year marks the 200th Anniversary of the death of George Washington. While during the passage of time since the death of

Washington our Nation has changed in many ways, we have not lost sight of the heavy debt we owe to Washington and the other founders of our nation. The project to restore our national monument to Washington's memory is an expression of our gratitude.

George Washington is universally known as our first president, and as commander in chief of the Continental forces during the American Revolution. But what is not as celebrated or well-known is that after Washington resigned his military commission and returned to his home at Mt. Vernon, Virginia, he became increasingly dissatisfied with the weakness of the government under the Articles of Confederation. Dispute and rivalry threatened to destroy the gains of the newly independent 13 former colonies; they were not yet a union of states, but a fractious confederation. Washington joined the movement to reorganize the government and hosted the 1795 conference at Mt. Vernon that catalyzed the Constitutional Convention. Washington himself presided over this critical Convention. History records that his influence in securing the adoption of the Constitution was incalculable. This Constitution, a short but brilliant document, has guided our nation, and has proved the best plan for a democratic republic the world has ever seen. If George Washington had not lived, it is impossible to know if the independent-minded colonies would have been able to transform themselves into an enduring united nation.

Our presence here today not only evokes and pays tribute to the greatness of the man who is called the Father of our Country, but is designed to keep his contributions still very much alive in our hearts and our minds.

THE BEAST, H.R. 45

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, a new category of beast has come to plague and menace the American scene. That beast, of course, is H.R. 45, a bill that intends to ship 77,000 tons of high-level nuclear waste, the most dangerous, toxic substance known to mankind, across this Nation into my home State of Nevada.

I say to my colleagues, your communities will not be spared from playing host to this transportation of high-level nuclear waste. In fact, if my colleagues vote in favor of H.R. 45, they will have voted to endanger the very constituents that they were sent here to protect and represent, because a vote for H.R. 45 is a vote to open the floodgates to transport nuclear waste from over 100 nuclear reactors through their communities and neighborhoods. A vote to support H.R. 45 makes my colleagues responsible forever for the dire consequences that will inevitably occur when a mobile Chernobyl has an accident causing untold devastation.

Protect your districts. Represent your families. Represent your constituents. Oppose H.R. 45.

WHITE HOUSE ANNOUNCES RECERTIFICATION OF MEXICO AS CO-OPERATING PARTNER IN WAR ON DRUGS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, a government report says last year not one major drug dealer was arrested in Mexico. Last year, seizures of drugs and arrests for drugs in Mexico declined. Last year, they say nearly all of the drugs and narcotics sold on the streets of America come from Mexico.

Think about it. America is drowning in cocaine and heroin; and, after all that, the White House has announced they will once again certify Mexico as a full cooperating partner in our war on drugs. Beam me up here.

Mexico is a partner all right, with Colombian drug dealers, not with Uncle Sam, and this tough love policy is just not working. Ladies and gentlemen of Congress, there is no war on drugs without the help of the military at our border. It is time to get on to that discussion.

Mr. Speaker, I yield back all the ad-diction, death and health care costs in our country.

REAUTHORIZATION OF THE OLDER AMERICANS ACT

(Mr. BARRETT of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, as a part of a bipartisan effort, I am introducing a bill that takes the first step toward reauthorizing the Older Americans Act, the premier senior citizens services law. It is past time for Congress to get off the dime and improve the services our seniors need and expect.

The Act performs a vital role in the everyday lives of millions of senior Americans by providing nutrition, disease prevention, health promotion and in-home services. Millions of seniors have benefited from the Act's programs.

In 1996, the Older Americans Act provided 238 million meals to over 3 million seniors. The Act also funded approximately 6,400 senior centers, 40 million rides, and more than 13 million requests for assistance.

I am ready to work with the committee chairman, the gentleman from Pennsylvania (Mr. GOODLING); the subcommittee chairman, the gentleman from California (Mr. McKEON); the ranking member, the gentleman from Missouri (Mr. CLAY); and the subcommittee chairman, the gentleman from California (Mr. MARTINEZ); to move this reauthorization through the House; and I look forward to working with my friends from both sides of the aisle to achieve a good bipartisan reauthorization.

MIDDLE CLASS AMERICANS DESERVE TAX RELIEF AND THEY DESERVE IT NOW

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, recently the President, in a talk to college students, revealed what he really thinks of tax relief for American families. He said, and I quote, 15 years from now, if the Congress wants to give more tax relief, let them do it, end quote.

So, does this mean that the college students to whom he was speaking must wait until they are in their thirties, most likely married and with children and with steep financial commitments like home mortgages, to receive relief from heavy taxation?

Ridiculous.

This is certainly unwelcome news to all the middle class American families I hear from, who already spend more in taxes than they do for food, shelter, transportation and clothing combined.

With this mentality, it is a good thing the President is only in charge for another 2 years, not 15. Middle class Americans, moms and dads, workers, even students, deserve tax relief; and they deserve it now.

MIXING SOCIAL SECURITY WITH OPERATING EXPENSES, NO BUSINESS IN AMERICA COULD DO THAT

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, by Washington definition, we have a budget surplus, only by Washington definition. Because what we have done is mix Social Security, our retirement, with operating expenses. No business in America could do that. The President, instead of wanting to put 100 percent of the surplus back where it belongs into the Social Security retirement account, he wants to spend 32 percent of it on other programs, new programs.

One of them, for example, is to expand AmeriCorps. You may not be familiar with that. That is the one where they pay volunteers, teenagers, to do work that they were doing for free. The Clinton administration now pays them and calls it AmeriCorps.

I think we should preserve Social Security. We should protect it. We should put 100 percent of the surplus back where it belongs, into Social Security, not into teenage volunteer payment programs. That is part of the whacky fringe left agenda and, Mr. President, my grandmother says no.

IF WE WORK TOGETHER, WE CAN STRENGTHEN SOCIAL SECURITY AND MEDICARE

(Ms. STABENOW asked and was given permission to address the House for 1 minute.)

Ms. STABENOW. Mr. Speaker, I rise today to strongly support the President's proposal to take the overwhelming majority of the budget surplus and place it into the Social Security Trust Fund to protect Social Security and Medicare. We have begun the process of balancing the budget, but we have not yet completed it until we repay the Social Security Trust Fund and totally strengthen Medicare. We can do that under the President's proposal by taking the overwhelming majority, 80 percent of the surplus, and putting it back towards strengthening Social Security and Medicare. That then allows us to take a small portion of the budget and to invest it in other critical needs such as defense preparedness and education.

If we work together, we can strengthen Social Security and Medicare. We can pay down the debt, which in the long run will lower interest rates and give a real tax cut to the middle class by lowering interest payments on mortgages, car payments, credit cards; and that is the way that we get more dollars back into people's pockets.

FEDERAL BALONEY

(Mr. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORD. Mr. Speaker, our Nation's governors are in town this week; and many of them are here with their hands out and their minds closed.

I am referring to several governors who have taken aim at the President's budget proposals for education reform.

The President has proposed an ambitious education agenda based on accountability, performance, competition and competency. He proposes to give States and school districts the resources they will need to modernize their schools, hire qualified teachers and reach higher standards.

What are the governors saying about these proposals? The governor of Arkansas says that he wants the dough without the strings. The governor of Mississippi called the administration's proposals Federal baloney.

These statements betray an alarming ideological shift among these State executives. Fundamentally, what they are saying is that they would like to spend tax dollars with impunity. They should know, as most citizens do, that just as the private sector cannot spend money without accountability, neither can government.

Let us give the States the resources they need but let us do it in a sound and sensible way, with accountability. That means ending social promotions, but giving those kids and schools the extra help they need to improve. That means making sure that all teachers are qualified. That means giving parents annual report cards on student performance.

Federal baloney, Mr. Speaker? Hardly.

Let us end the rhetoric and embrace the national leadership to turn around our Nation's schools.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

OMNIBUS PARKS TECHNICAL CORRECTIONS ACT OF 1999

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 149) to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996, as amended.

The Clerk read as follows:

H.R. 149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE TO OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996.

(a) SHORT TITLE.—This Act may be cited as the "Omnibus Parks Technical Corrections Act of 1999".

(b) REFERENCE TO OMNIBUS PARKS ACT.—In this Act, the term "Omnibus Parks Act" means the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4093).

TITLE I—TECHNICAL CORRECTIONS TO DIVISION I

SEC. 101. PRESIDIO OF SAN FRANCISCO.

Title I of division I of the Omnibus Parks Act (16 U.S.C. 460bb note) is amended as follows:

(1) In section 101(2) (110 Stat. 4097), by striking "the Presidio is" and inserting "the Presidio was".

(2) In section 103(b)(1) (110 Stat. 4099), by striking "other lands administrated by the Secretary." in the last sentence and inserting "other lands administered by the Secretary."

(3) In section 105(a)(2) (110 Stat. 4104), by striking "in accordance with section 104(h) of this title." and inserting "in accordance with section 104(i) of this title."

SEC. 102. COLONIAL NATIONAL HISTORICAL PARK.

Section 211(d) of division I of the Omnibus Parks Act (110 Stat. 4110; 16 U.S.C. 81p) is amended by striking "depicted on the map dated August 1993, numbered 333/80031A," and inserting "depicted on the map dated August 1996, numbered 333/80031B,".

SEC. 103. MERCED IRRIGATION DISTRICT.

Section 218(a) of division I of the Omnibus Parks Act (110 Stat. 4113) is amended by striking "this Act" and inserting "this section".

SEC. 104. BIG THICKET NATIONAL PRESERVE.

Section 306 of division I of the Omnibus Parks Act (110 Stat. 4132; 16 U.S.C. 698 note) is amended as follows:

(1) In subsection (d), by striking "until the earlier of the consummation of the exchange of July 1, 1998," and inserting "until the earlier of the consummation of the exchange or July 1, 1998,".

(2) In subsection (f)(2), by striking "in Menard" and inserting "in the Menard".

SEC. 105. KENAI NATIVES ASSOCIATION LAND EXCHANGE.

Section 311 of division I of the Omnibus Parks Act (110 Stat. 4139) is amended as follows:

(1) In subsection (d)(2)(B)(ii), by striking "W. Seward Meridian" and inserting "W. Seward Meridian".

(2) In subsection (f)(1), by striking "to be know" and inserting "to be known".

SEC. 106. LAMPREY WILD AND SCENIC RIVER.

(a) TECHNICAL CORRECTION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by section 405(a) of division I of the Omnibus Parks Act (110 Stat. 4149), is amended in the second sentence of the paragraph relating to the Lamprey River, New Hampshire, by striking "through cooperation agreements" and inserting "through cooperative agreements".

(b) CROSS REFERENCE.—Section 405(b)(1) of division I of the Omnibus Parks Act (110 Stat. 4149; 16 U.S.C. 1274 note) is amended by striking "this Act" and inserting "the Wild and Scenic Rivers Act".

SEC. 107. VANCOUVER NATIONAL HISTORIC RESERVE.

Section 502(a) of division I of the Omnibus Parks Act (110 Stat. 4154; 16 U.S.C. 461 note) is amended by striking "by the Vancouver Historical Assessment" published".

SEC. 108. MEMORIAL TO MARTIN LUTHER KING, JR.

Section 508 of division I of the Omnibus Parks Act (110 Stat. 4157, 40 U.S.C. 1003 note) is amended as follows:

(1) In subsection (a), by striking "of 1986" and inserting "(40 U.S.C. 1001 et seq.)";

(2) In subsection (b), by striking "the Act" and all that follows through "1986" and inserting "the Commemorative Works Act".

(3) In subsection (d), by striking "the Act referred to in section 4401(b))" and inserting "the Commemorative Works Act)".

SEC. 109. ADVISORY COUNCIL ON HISTORIC PRESERVATION.

The first sentence of section 205(g) of the National Historic Preservation Act (16 U.S.C. 470m(g)), as amended by section 509(c) of division I of the Omnibus Parks Act (110 Stat. 4157), is amended by striking "for the purpose." and inserting "for that purpose."

SEC. 110. GREAT FALLS HISTORIC DISTRICT, NEW JERSEY.

Section 510(a)(1) of division I of the Omnibus Parks Act (110 Stat. 4158; 16 U.S.C. 461 note) is amended by striking "the contribution of our national heritage" and inserting "the contribution to our national heritage".

SEC. 111. NEW BEDFORD WHALING NATIONAL HISTORICAL PARK.

(a) Section 511 of division I of the Omnibus Parks Act (110 Stat. 4159; 16 U.S.C. 410ddd) is amended as follows:

(1) In the section heading, by striking "national historic landmark district" and inserting "whaling national historical park".

(2) In subsection (c)—

(A) in paragraph (1), by striking "certain districts structures, and relics" and inserting "certain districts, structures, and relics"; and

(B) in paragraph (2)(A)(i), by striking "The area included with the New Bedford National Historic Landmark District, known as the" and inserting "The area included within the New Bedford Historic District (a National Landmark District), also known as the".

(3) In subsection (d)(2), by striking "to provide".

(4) By redesignating the second subsection (e) and subsection (f) as subsections (f) and (g), respectively.

(5) In subsection (g), as so redesignated—

(A) in paragraph (1), by striking "section 3(D)." and inserting "subsection (d)."; and

(B) in paragraph (2)(C), by striking "cooperative grants under subsection (d)(2)." and

inserting "cooperative agreements under subsection (e)(2).".

SEC. 112. NICODEMUS NATIONAL HISTORIC SITE.

Section 512(a)(1)(B) of division I of the Omnibus Parks Act (110 Stat. 4163; 16 U.S.C. 461 note) is amended by striking "African-Americans" and inserting "African-Americans".

SEC. 113. UNALASKA.

Section 513(c) of division I of the Omnibus Parks Act (110 Stat. 4165; 16 U.S.C. 461 note) is amended by striking "shall be comprised" and inserting "shall be comprised".

SEC. 114. REVOLUTIONARY WAR AND WAR OF 1812 HISTORIC PRESERVATION STUDY.

Section 603(d)(2) of division I of the Omnibus Parks Act (110 Stat. 4172; 16 U.S.C. 1a-5 note) is amended by striking "subsection (b) shall—" and inserting "paragraph (1) shall—".

SEC. 115. SHENANDOAH VALLEY BATTLEFIELDS.

Section 606 of division I of the Omnibus Parks Act (110 Stat. 4175; 16 U.S.C. 461 note) is amended as follows:

(1) In subsection (d)—

(A) in paragraph (1), by striking "section 5." and inserting "subsection (e).";

(B) in paragraph (2), by striking "section 9." and inserting "subsection (h)."; and

(C) in paragraph (3), by striking "Commission plan approved by the Secretary under section 6." and inserting "plan developed and approved under subsection (f)."

(2) In subsection (f)(1), by striking "this Act" and inserting "this section".

(3) In subsection (g)—

(A) in paragraph (3), by striking "purposes of this Act" and inserting "purposes of this section"; and

(B) in paragraph (5), by striking "section 9." and inserting "subsection (i)."

(4) In subsection (h)(12), by striking "this Act" and inserting "this section".

SEC. 116. WASHITA BATTLEFIELD.

Section 607 of division I of the Omnibus Parks Act (110 Stat. 4181; 16 U.S.C. 461 note) is amended—

(1) in subsection (c)(3), by striking "this Act" and inserting "this section"; and

(2) in subsection (d)(2), by striking "local land owners" and inserting "local landowners".

SEC. 117. SKI AREA PERMIT RENTAL CHARGE.

Section 701 of division I of the Omnibus Parks Act (110 Stat. 4182; 16 U.S.C. 497c) is amended as follows:

(1) In subsection (b)(3), by striking "legislated by this Act" and inserting "required by this section".

(2) In subsection (d)—

(A) in the matter preceding paragraph (1), by striking "formula of this Act" and inserting "formula of this section";

(B) in paragraphs (1), (2), and (3) and in the sentence below paragraph (3), by striking "this Act" each place it appears and inserting "this section"; and

(C) in the sentence below paragraph (3), by inserting "adjusted gross revenue for the" before "1994-1995 base year".

(3) In subsection (f), by inserting inside the parenthesis "offered for commercial or other promotional purposes" after "complimentary lift tickets".

(4) In subsection (i), by striking "this Act" and inserting "this section".

SEC. 118. GLACIER BAY NATIONAL PARK.

Section 3 of Public Law 91-383 (16 U.S.C. 1a-2), as amended by section 703 of division I of the Omnibus Parks Act (110 Stat. 4185), is amended as follows:

(1) In subsection (g), by striking "bearing the cost of such exhibits and demonstrations;" and inserting "bearing the cost of such exhibits and demonstrations.".

(2) By capitalizing the first letter of the first word in each of the subsections (a) through (i).

(3) By striking the semicolon at the end of each of the subsections (a) through (f) and at the end of subsection (h) and inserting a period.

(4) In subsection (i), by striking “; and” and inserting a period.

(5) By conforming the margins of subsection (j) with the margins of the preceding subsections.

SEC. 119. ROBERT J. LAGOMARSINO VISITOR CENTER.

Section 809(b) of division I of the Omnibus Parks Act (110 Stat. 4189; 16 U.S.C. 410ff note) is amended by striking “section 301” and inserting “subsection (a)”.

SEC. 120. NATIONAL PARK SERVICE ADMINISTRATIVE REFORM.

(a) TECHNICAL CORRECTIONS.—Section 814 of division I of the Omnibus Parks Act (110 Stat. 4190) is amended as follows:

(1) In subsection (a) (16 U.S.C. 17o note)—

(A) in paragraph (6), by striking “this Act” and inserting “this section”;

(B) in paragraph (7)(B), by striking “COMPETITIVE LEASING.—” and inserting “COMPETITIVE LEASING.—”;

(C) in paragraph (9), by striking “granted by statue” and inserting “granted by statute”;

(D) in paragraph (11)(B)(ii), by striking “more cost effective” and inserting “more cost-effective”;

(E) in paragraph (13), by striking “paragraph (13),” and inserting “paragraph (12),”; and

(F) in paragraph (18), by striking “under paragraph (7)(A)(i)(I), any lease under paragraph (11)(B), and any lease of seasonal quarters under subsection (1),” and inserting “under paragraph (7)(A) and any lease under paragraph (11)”.

(2) In subsection (d)(2)(E), by striking “is amended”.

(b) CHANGE TO PLURAL.—Section 7(c)(2) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9(c)(2)), as added by section 814(b) of the Omnibus Parks Act (110 Stat. 4194), is amended as follows:

(1) In subparagraph (C), by striking “lands, water, and interest therein” and inserting “lands, waters, and interests therein”.

(2) In subparagraph (F), by striking “lands, water, or interests therein, or a portion of whose lands, water, or interests therein,” and inserting “lands, waters, or interests therein, or a portion of whose lands, waters, or interests therein.”.

(c) ADD MISSING WORD.—Section 2(b) of Public Law 101-337 (16 U.S.C. 191j-1(b)), as amended by section 814(h)(3) of the Omnibus Parks Act (110 Stat. 4199), is amended by inserting “or” after “park system resource”.

SEC. 121. BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR.

Section 6(d)(2) of the Act entitled “An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island”, approved November 10, 1986 (Public Law 99-647; 16 U.S.C. 461 note), as added by section 901(c) of division I of the Omnibus Parks Act (110 Stat. 4202), is amended by striking “may be made in the approval plan” and inserting “may be made in the approved plan”.

SEC. 122. TALLGRASS PRAIRIE NATIONAL PRESERVE.

Subtitle A of title X of division I of the Omnibus Parks Act is amended as follows:

(1) In section 1002(a)(4)(A) (110 Stat. 4204; 16 U.S.C. 689u(a)(4)(A)), by striking “to purchase” and inserting “to acquire”.

(2) In section 1004(b) (110 Stat. 4205; 16 U.S.C. 689u-2(b)), by striking “of June 3, 1994,” and inserting “on June 3, 1994.”.

(3) In section 1005 (110 Stat. 4205; 16 U.S.C. 689u-3)—

(A) in subsection (d)(1), by striking “this Act” and inserting “this subtitle”; and

(B) in subsection (g)(3)(A), by striking “the tall grass prairie” and inserting “the tallgrass prairie”.

SEC. 123. RECREATION LAKES.

(a) TECHNICAL CORRECTIONS.—Section 1021(a) of division I of the Omnibus Parks Act (110 Stat. 4210; 16 U.S.C. 460l-10e note) is amended as follows:

(1) By striking “manmade lakes” both places it appears and inserting “man-made lakes”.

(2) By striking “for recreational opportunities at federally-managed” and inserting “for recreational opportunities at federally managed”.

(b) ADVISORY COMMISSION.—Section 13 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-10e), as added by section 1021(b) of the Omnibus Parks Act (110 Stat. 4210), is amended as follows:

(1) In subsection (b)(6), by striking “recreation related infrastructure,” and inserting “recreation-related infrastructure.”.

(2) In subsection (e)—

(A) by striking “water related recreation” in the first sentence and inserting “water-related recreation”;

(B) in paragraph (2), by striking “at federally-managed lakes” and inserting “at federally managed lakes”; and

(C) by striking “manmade lakes” each place it appears and inserting “man-made lakes”.

SEC. 124. FOSSIL FOREST PROTECTION.

Section 103 of the San Juan Basin Wilderness Protection Act of 1984 (43 U.S.C. 178), as amended by section 1022(e) of the Omnibus Parks Act (110 Stat. 4213), is amended as follows:

(1) In subsections (b)(1) and (e)(1), by striking “Committee on Natural Resources” and inserting “Committee on Resources”.

(2) In subsection (e)(1), by striking “this Act” and inserting “this subsection”.

SEC. 125. OPAL CREEK WILDERNESS AND SCENIC RECREATION AREA.

Section 1023(c)(1)(A) of division I of the Omnibus Parks Act (110 Stat. 4215; 16 U.S.C. 545b(c)(1)(A)) is amended by striking “of 1964”.

SEC. 126. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.

Section 1029 of division I of the Omnibus Parks Act (110 Stat. 4232; 16 U.S.C. 460kkk) is amended as follows:

(1) In the section heading, by striking “recreation area” and inserting “national recreation area”.

(2) In subsection (b)(1), by inserting quotation marks around the term “recreation area”.

(3) In subsection (e)(3)(B), by striking “subsections (b) (3), (4), (5), (6), (7), (8), (9), and (10),” and inserting “subparagraphs (C), (D), (E), (F), (G), (H), (I), and (J) of paragraph (2).”.

(4) In subsection (f)(2)(A)(i), by striking “profit sector roles” and inserting “private-sector roles”.

(5) In subsection (g)(1), by striking “and revenue raising activities.” and inserting “and revenue-raising activities.”.

SEC. 127. NATCHEZ NATIONAL HISTORICAL PARK.

(a) TECHNICAL AMENDMENT.—Section 3(b)(1) of Public Law 100-479 (16 U.S.C. 410oo-2(b)(1)), as added by section 1030 of the Omnibus Parks Act (110 Stat. 4238), is amended by striking “and visitors’ center” and inserting “and visitor center”.

(b) AMENDATORY INSTRUCTION.—Section 1030 of the Omnibus Parks Act (110 Stat. 4238) is amended by striking “after ‘SEC. 3.’;” and inserting “before ‘Except’;”.

SEC. 128. REGULATION OF FISHING IN CERTAIN WATERS OF ALASKA.

Section 1035 of division I of the Omnibus Parks Act (110 Stat. 2240) is amended as follows:

(1) In the section heading, by striking “regulations” and inserting “regulation”.

(2) In subsection (c), by striking “this Act” and inserting “this section”.

TITLE II—TECHNICAL CORRECTIONS TO DIVISION II

SEC. 201. NATIONAL COAL HERITAGE AREA.

Title I of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 104(4) (110 Stat. 4244), by striking “history preservation” and inserting “historic preservation”.

(2) In section 105 (110 Stat. 4244), by striking “paragraphs (2) and (5) of section 104” and inserting “paragraph (2) of section 104”.

(3) In section 106(a)(3) (110 Stat. 4244), by striking “or Secretary” and inserting “or the Secretary”.

SEC. 202. TENNESSEE CIVIL WAR HERITAGE AREA.

Title II of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 201(b)(4) (110 Stat. 4245), by striking “and associated sites associated” and insert “and sites associated”.

(2) In section 207(a) (110 Stat. 4248), by striking “as provide for” and inserting “as provided for”.

SEC. 203. AUGUSTA CANAL NATIONAL HERITAGE AREA.

Section 301(1) of division II of the Omnibus Parks Act (110 Stat. 4249; 16 U.S.C. 461 note) is amended by striking “National Historic Register of Historic Places,” and inserting “National Register of Historic Places,”.

SEC. 204. ESSEX NATIONAL HERITAGE AREA.

Section 501(a)(8) of division II of the Omnibus Parks Act (110 Stat. 4257; 16 U.S.C. 461 note) is amended by striking “a visitors’ center” and inserting “a visitor center”.

SEC. 205. OHIO & ERIE CANAL NATIONAL HERITAGE CORRIDOR.

Title VIII of division II of the Omnibus Parks Act (16 U.S.C. 461 note) is amended as follows:

(1) In section 805(b)(2) (110 Stat. 4269), by striking “One individuals,” and inserting “One individual.”.

(2) In section 808(a)(3)(A) (110 Stat. 4279), by striking “from the Committee.” and inserting “from the Committee.”.

SEC. 206. HUDSON RIVER VALLEY NATIONAL HERITAGE AREA.

Section 908(a)(1)(B) of division II of the Omnibus Parks Act (110 Stat. 4279; 16 U.S.C. 461 note) is amended by striking “on nonfederally owned property” and inserting “for non-federally owned property”.

TITLE III—TECHNICAL CORRECTIONS TO OTHER PUBLIC LAWS

SEC. 301. REAUTHORIZATION OF DELAWARE WATER GAP NATIONAL RECREATION AREA CITIZEN ADVISORY COMMISSION.

Effective as of November 6, 1998, section 507 of Public Law 105-355 (112 Stat. 3264, 16 U.S.C. 460o note) is amended by striking “Public Law 101-573” and inserting “Public Law 100-573”.

SEC. 302. ARCHES NATIONAL PARK EXPANSION ACT OF 1998.

Section 8 of Public Law 92-155 (16 U.S.C. 272g), as added by section 2(e)(2) of the Arches National Park Expansion Act of 1998 (Public Law 105-329; 112 Stat. 3062), is amended as follows:

(1) In subsection (b)(2), by striking “, described as lots 1 through 12 located in the S½N½ and the N½N½N½S½ of section 1, Township 25 South, Range 18 East, Salt Lake base and meridian.” and inserting “located in section 1, Township 25 South, Range 18 East, Salt Lake base and meridian, and more fully described as follows:

“(A) Lots 1 through 12.

“(B) The $S\frac{1}{2}N\frac{1}{2}$ of such section.

“(C) The $N\frac{1}{2}N\frac{1}{2}N\frac{1}{2}S\frac{1}{2}$ of such section.”;

and

(2) By striking subsection (d).

SEC. 303. DUTCH JOHN FEDERAL PROPERTY DISPOSITION AND ASSISTANCE ACT OF 1998.

(a) TRANSFER OF JURISDICTION.—Section 6(b) of the Dutch John Federal Property Disposition and Assistance Act of 1998 (Public Law 105-326; 112 Stat. 3044) is amended as follows:

(1) By striking the subsection heading and inserting the following: “ADDITIONAL TRANSFERS OF ADMINISTRATIVE JURISDICTION.—”.

(2) By striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) TRANSFER FROM SECRETARY OF THE INTERIOR.—The Secretary of the Interior shall transfer to the Secretary of Agriculture administrative jurisdiction over approximately 2,167 acres of lands and interests in land located in Duchesne and Wasatch Counties, Utah, that were acquired by the Secretary of the Interior for the Central Utah Project, as depicted on the maps entitled—

“(A) the ‘Dutch John Townsite, Ashley National Forest, Lower Stillwater’, dated February 1997;

“(B) The ‘Dutch John Townsite, Ashley National Forest, Red Hollow (Diamond Properties)’, dated February 1997; and

“(C) The ‘Dutch John Townsite, Ashley National Forest, Coal Hollow (Current Creek Reservoir)’, dated February 1997.

“(2) TRANSFER FROM SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall transfer to the Secretary of the Interior administrative jurisdiction over approximately 2,450 acres of lands and interests in lands located in the Ashley National Forest, as depicted on the map entitled ‘Ashley National Forest, Lands to be Transferred to the Bureau of Reclamation (BOR) from the Forest Service’, dated February 1997.”.

(3) In paragraph (3)(A), by striking the second sentence and inserting the following new sentence: “The boundaries of the Ashley National Forest and the Uinta National Forest are hereby adjusted to reflect the transfers required by this section.”.

(4) In paragraph (3)(B), by striking “The transferred lands” and inserting “The lands and interests in land transferred to the Secretary of Agriculture under paragraph (1)”.

(b) ELECTRIC POWER.—Section 13(d) of such Act (112 Stat. 3053) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) AVAILABILITY.—The United States shall make available for the Dutch John community electric power and associated energy previously reserved from the Colorado River Storage Project for project use as firm electric service.”.

SEC. 304. OREGON PUBLIC LANDS TRANSFER AND PROTECTION ACT OF 1998.

Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105-321; 112 Stat. 3022) is amended as follows:

(1) In subsection (a), by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(2) By striking subsection (b) and inserting the following new subsection:

“(b) POLICY OF NO NET LOSS OF O & C LAND AND CBWR LAND.—In carrying out sales, purchases, and exchanges of land in the geographic area, the Secretary shall ensure that on October 30, 2008, and on the expiration of each 10-year period thereafter, the number of acres of O & C land and CBWR land in the geographic area is not less than the number of acres of such land on October 30, 1998.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 149 is a non-controversial bill that would make a number of simple technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and other laws related to parks and public lands management. This bill is completely bipartisan and has wide support from the administration.

In each congressional session, large numbers of individual pieces of legislation are passed and written into law. Often, small mistakes and errors are made in the drafting and printing of the final language that becomes the actual law. For example, an incorrect map number might be found or a period is missing from a sentence or a word is spelled incorrectly.

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This bill makes necessary technical corrections to language which has been written into many of our various laws and makes certain we have dotted the I's and crossed all the T's. In crafting this bill, we have discovered a few other technical corrections that needed to be made; and these are reflected in the bill, as amended.

Mr. Speaker, I urge my colleagues to support H.R. 149.

Mr. Speaker, I reserve the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 149 is a housekeeping measure introduced by the gentleman from Utah (Mr. HANSEN), Chairman of the Subcommittee on National Parks and Public Lands.

The bill makes numerous technical corrections to the Omnibus Parks and Public Lands Act of 1996 to fix punctuation, map references and other minor drafting errors that exist in the law.

Several additional technical corrections were identified, and they were included in amendments adopted by the Committee on Resources. There are no problems with the bill as amended by the Committee on Resources, and we support its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 149, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: “A bill to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.”.

A motion to reconsider was laid on the table.

COASTAL HERITAGE TRAIL ROUTE, NEW JERSEY, AUTHORIZATION

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 171) to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes.

The Clerk read as follows:

H.R. 171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended—

(1) in subsection (b)(1), by striking “\$1,000,000” and inserting “\$4,000,000”; and

(2) in subsection (c), by striking “five” and inserting “10”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 171 introduced by my colleague, the gentleman from New Jersey (Mr. LOBIONDO), would authorize appropriations for the Coastal Heritage Trail Route in the State of New Jersey and also extend the authority provided to the Secretary of the Interior when the route was initially established in 1988.

H.R. 171 would continue and complete the cooperative efforts already begun by the parties involved by authorizing \$4 million to carry out the purposes of this act. This bill also authorizes the Secretary to continue the authorities established in 1988 for the New Jersey Coastal Heritage Trail Route for an additional 5 years.

This bill has bipartisan support, and I urge my colleagues to support H.R. 171.

Mr. Speaker, I reserve the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 171, introduced by the gentleman from New Jersey (Mr. LOBIONDO) reauthorizes for 5 years the time during which the National Park Service can participate in an ongoing public-private partnership to develop a

vehicular tour route along the New Jersey coastline. Further, the bill raises the existing authorization of appropriations to a total of \$4 million for trail development and interpretation of resources.

The Subcommittee on National Parks and Public Lands held a hearing on identical legislation in the last Congress. The administration testified in favor of the legislation, and the bill was favorably reported to the full committee, but no further action was taken.

We are aware of no controversy associated with H.R. 171. It has bipartisan support, and we urge our colleagues to support the passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. LOBIONDO), the sponsor of this bill.

Mr. LOBIONDO. Mr. Speaker, I rise today in strong support of H.R. 171, the New Jersey Coastal Heritage Trail Reauthorization Act.

I would also like to take this opportunity to thank the gentleman from Utah (Mr. HANSEN), the chair of the subcommittee, and the gentleman from Alaska (Mr. YOUNG), the chair of the full Committee on Resources, for their help and cooperation in bringing this important legislation to the floor.

H.R. 171 would extend the authorization of the Trail to provide an additional \$4 million over 5 years to complete the work that was begun in 1988.

This extension is needed to complete a number of projects such as interpretive exhibits, wayside signs and other visitor-related services. Simply put, enactment of H.R. 171 will prevent the Coastal Heritage Trail from being caught in an unfinished, "work in progress" condition.

Legislation establishing the Trail was passed by Congress in 1988, thanks to the leadership of Senator Bill Bradley. Its original intent was to unify New Jersey's many scenic points of interest along the State's Atlantic Ocean, Delaware River and Delaware Bay shorelines.

These points of interest include a wealth of environmental, historic, maritime and recreational sites found along New Jersey's coastlines, ranging from Perth Amboy to the north, Deepwater to the west, and Cape May in the extreme southern tip of the State.

The Trail's area includes two National Wildlife Refuges, four tributaries of a Wild and Scenic River system, a Civil War fort and national cemetery, several lighthouses, historic homes, and several other sites tied to southern New Jersey's maritime history. In short, Mr. Speaker, the Coastal Heritage Trail incorporates the best of what New Jersey has to offer the rest of the Nation.

More importantly, the completed Trail will stimulate the local economy in southern New Jersey by attracting tourists from the entire Delaware Val-

ley region. And although the Second Congressional District is known for its seaside resort communities, there are a number of treasures in Salem, Cumberland and Cape May Counties that the Trail will tap into.

One exciting aspect is its focus on maritime history. There is a rich story to be told about the industries once sustained by the Delaware Bay, such as whaling, shipbuilding, oystering and crabbing. While we often define our Nation's history through military or political milestones, the Trail will serve to remind visitors that maritime-dependent commerce was a major factor in the growth of the United States.

In addition, "eco-tourism" along the Coastal Heritage Trail has proven to be a huge success. There is an abundant variety of natural habitats and species to be found on the Trail. During the springtime, for instance, visitors from Heislerville can watch the annual spectacle of thousands and thousands of horseshoe crabs returning to lay their eggs on the beach. Whale and dolphin watching have become extremely popular, and bird lovers from throughout the country, and in fact around the world, are realizing what southern New Jersey residents have known all along, that our region is unmatched for observing migratory birds, ospreys and bald eagles.

Finally, let me point out to the Members of the House that the New Jersey Coastal Heritage Trail is a Federal, State and private partnership that works. The Trail has been supported by the New Jersey Division of Travel and Tourism, local community groups, non-profit societies and corporate sources.

Mr. Speaker, far from a new and costly government project, H.R. 171 represents the kind of program that Congress should be encouraging: preservation-minded with the potential for positive economic impact on local communities.

Mr. PALLONE. Mr. Speaker, I am pleased to cosponsor H.R. 171 to reauthorize New Jersey's Coastal Heritage Trail, and I thank the leadership for bringing this bill to the floor.

For those of my colleagues who have traveled through New Jersey, but have not experienced her coastal vitality, I invite and encourage you to visit the Coastal Heritage Trail's points of interest in the sixth district. Cheesequake State Park offers a variety of outdoors activities and facilities from swimming and camping, to hiking trails and a nature center. Along the Sandy Hook Bay is the Bedford Seafood CO-OP, the oldest fishing port on the East Coast. The Leonardo State Marina includes 179 slips and can accommodate boats up to 45 feet in length. From Mount Mitchill Scenic Overlook, visitors can view Sandy Hook Bay, the Atlantic Ocean, and the New York City skyline. The Sandy Hook Unit of Gateway National Recreation Area showcases seven miles of ocean beaches, the waters of Sandy Hook Bay, a salt marsh, dunes, a maritime forest, and a habitat for migratory shorebirds. The Steamboat Dock Museum of the Keyport Historical Society interprets the history and maritime traditions of Keyport, which was settled as a private plantation in

1714, and became a major port for oystering in the 1830s. Finally, Twin Light State Historic Site served as an important maritime navigational aid for ships, and hosts one of the original life boat stations built by the U.S. government.

The New Jersey Coastal Heritage Trail is the result of an innovative partnership between the National Park Service, New Jersey's State and local governments, and private individuals and organizations. The original legislation establishing the trail was enacted in 1988. In 1944, the trail was reauthorized with a 50 percent match requirement of non-federal funds. Since then, the Park Service has matched \$1 million in federal funding with over \$800,000 from other sources.

The trail is now approximately 50 percent complete. The legislation before the House today will increase authorized appropriations for the trail from \$1 million to \$4 million. It will also extend the National Park Service's authority to participate in the trail's development for five years, from May 1999 to May 2004. This will give the Park Service the additional time and funding it needs to complete New Jersey's Coastal Heritage Trail.

Mr. Speaker, New Jersey's special places are celebrated and protected through the Coastal Heritage Trail. I urge the favorable consideration of this legislation.

Mr. ANDREWS. Mr. Speaker, I rise in support of this legislation. The New Jersey Coastal Heritage Trail is an important component of the New Jersey shore line. It plays a vital role in educating visitors and citizens of our state alike that New Jersey is a beautiful and scenic place to live and visit. The Coastal Heritage Trail Route gives us the opportunity to both preserve and appreciate the beauty of the Jersey shore.

The trail, which begins in Perth Amboy, runs the entire length of New Jersey's Atlantic Ocean shore, traversing eight counties. It goes through the Pine Barrens, one of the most beautiful sections of the Garden State, all the way to the southern tip of historic Cape May. The trail then follows the Delaware Bay northward to Deepwater, New Jersey.

This Trail was first established over a decade ago in 1988. It has been a joint effort of the State of New Jersey, the National Park Service, and other organizations. Their efforts have provided much public appreciation, education, and enjoyment of this scenic and natural area of New Jersey.

The bill before the Congress today will continue these efforts into the next century. H.R. 171 extends the New Jersey Coastal Heritage Trail's authorization for five years. It will further help to strengthen the Trail, by increasing its authorized funding level from \$1 million to \$4 million. I commend my colleague from South Jersey, Congressman LOBIONDO, for his efforts in this Congress as well as in previous years on behalf of the Coastal Heritage Trail. I urge my colleagues to vote for this important legislation. Thank you.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, we have no speakers on this issue, so we yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN)

that the House suspend the rules and pass the bill, H.R. 171.

The question was taken.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUDBURY, ASSABET, AND CONCORD WILD AND SCENIC RIVER ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 193) to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System, as amended.

The Clerk read as follows:

H.R. 193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sudbury, Assabet, and Concord Wild and Scenic River Act".

SEC. 2. DESIGNATION OF SUDBURY, ASSABET, AND CONCORD SCENIC AND RECREATIONAL RIVERS, MASSACHUSETTS.

(a) FINDINGS.—The Congress finds the following:

(1) The Sudbury, Assabet, and Concord Wild and Scenic River Study Act (title VII of Public Law 101-628; 104 Stat. 4497) —

(A) designated segments of the Sudbury, Assabet, and Concord Rivers in the Commonwealth of Massachusetts, totaling 29 river miles, for study and potential addition to the National Wild and Scenic Rivers System; and

(B) directed the Secretary of the Interior to establish the Sudbury, Assabet, and Concord Rivers Study Committee (in this section referred to as the "Study Committee") to advise the Secretary in conducting the study and in the consideration of management alternatives should the rivers be included in the National Wild and Scenic Rivers System.

(2) The study determined the following river segments are eligible for inclusion in the National Wild and Scenic Rivers System based on their free-flowing condition and outstanding scenic, recreation, wildlife, cultural, and historic values:

(A) The 16.6-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, to its confluence with the Assabet River.

(B) The 4.4-mile segment of the Assabet River from 1,000 feet downstream from the Damon Mill Dam in the town of Concord to the confluence with the Sudbury River at Egg Rock in Concord.

(C) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers to the Route 3 bridge in the town of Billerica.

(3) The towns that directly abut the segments, including Framingham, Sudbury, Wayland, Lincoln, Concord, Bedford, Carlisle, and Billerica, Massachusetts, have each demonstrated their desire for National Wild and Scenic River designation through town meeting votes endorsing designation.

(4) During the study, the Study Committee and the National Park Service prepared a comprehensive management plan for the segment, entitled "Sudbury, Assabet and Con-

cord Wild and Scenic River Study, River Conservation Plan" and dated March 16, 1995 (in this section referred to as the "plan"), which establishes objectives, standards, and action programs that will ensure long-term protection of the rivers' outstanding values and compatible management of their land and water resources.

(5) The Study Committee voted unanimously on February 23, 1995, to recommend that the Congress include these segments in the National Wild and Scenic Rivers System for management in accordance with the plan.

(b) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

"(160) SUDBURY, ASSABET, AND CONCORD RIVERS, MASSACHUSETTS.—(A) The 29 miles of river segments in Massachusetts, as follows:

"(i) The 14.9-mile segment of the Sudbury River beginning at the Danforth Street Bridge in the town of Framingham, downstream to the Route 2 Bridge in Concord, as a scenic river.

"(ii) The 1.7-mile segment of the Sudbury River from the Route 2 Bridge downstream to its confluence with the Assabet River at Egg Rock, as a recreational river.

"(iii) The 4.4-mile segment of the Assabet River beginning 1,000 feet downstream from the Damon Mill Dam in the town of Concord, to its confluence with the Sudbury River at Egg Rock in Concord; as a recreational river.

"(iv) The 8-mile segment of the Concord River from Egg Rock at the confluence of the Sudbury and Assabet Rivers downstream to the Route 3 Bridge in the town of Billerica, as a recreational river.

"(B) The segments referred to in subparagraph (A) shall be administered by the Secretary of the Interior in cooperation with the SUASCO River Stewardship Council provided for in the plan referred to in subparagraph (C) through cooperative agreements under section 10(e) between the Secretary and the Commonwealth of Massachusetts and its relevant political subdivisions (including the towns of Framingham, Wayland, Sudbury, Lincoln, Concord, Carlisle, Bedford, and Billerica).

"(C) The segments referred to in subparagraph (A) shall be managed in accordance with the plan entitled 'Sudbury, Assabet and Concord Wild and Scenic River Study, River Conservation Plan', dated March 16, 1995. The plan is deemed to satisfy the requirement for a comprehensive management plan under subsection (d) of this section."

(c) FEDERAL ROLE IN MANAGEMENT.—(1) The Director of the National Park Service or the Director's designee shall represent the Secretary of the Interior in the implementation of the plan, this section, and the Wild and Scenic Rivers Act with respect to each of the segments designated by the amendment made by subsection (b), including the review of proposed federally assisted water resources projects that could have a direct and adverse effect on the values for which the segment is established, as authorized under section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)).

(2) Pursuant to sections 10(e) and section 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the Director shall offer to enter into cooperative agreements with the Commonwealth of Massachusetts, its relevant political subdivisions, the Sudbury Valley Trustees, and the Organization for the Assabet River. Such cooperative agreements shall be consistent with the plan and may include provisions for financial or other assistance from the United States to facilitate the long-term protection, conservation, and enhancement of each of the segments designated by the amendment made by subsection (b).

(3) The Director may provide technical assistance, staff support, and funding to assist in the implementation of the plan, except that the total cost to the Federal Government of activities to implement the plan may not exceed \$100,000 each fiscal year.

(4) Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), any portion of a segment designated by the amendment made by subsection (b) that is not already within the National Park System shall not under this section—

(A) become a part of the National Park System;

(B) be managed by the National Park Service; or

(C) be subject to regulations which govern the National Park System.

(d) WATER RESOURCES PROJECTS.—(1) In determining whether a proposed water resources project would have a direct and adverse effect on the values for which the segments designated by the amendment made by subsection (b) were included in the National Wild and Scenic Rivers System, the Secretary of the Interior shall specifically consider the extent to which the project is consistent with the plan.

(2) The plan, including the detailed Water Resources Study incorporated by reference in the plan and such additional analysis as may be incorporated in the future, shall serve as the primary source of information regarding the flows needed to maintain instream resources and potential compatibility between resource protection and possible additional water withdrawals.

(e) LAND MANAGEMENT.—(1) The zoning bylaws of the towns of Framingham, Sudbury, Wayland, Lincoln, Concord, Carlisle, Bedford, and Billerica, Massachusetts, as in effect on the date of enactment of this Act, are deemed to satisfy the standards and requirements under section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)). For the purpose of that section, the towns are deemed to be "villages" and the provisions of that section which prohibit Federal acquisition of lands through condemnation shall apply.

(2) The United States Government shall not acquire by any means title to land, easements, or other interests in land along the segments designated by the amendment made by subsection (b) or their tributaries for the purposes of designation of the segments under the amendment. Nothing in this section shall prohibit Federal acquisition of interests in land along those segments or tributaries under other laws for other purposes.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior to carry out this section not to exceed \$100,000 for each fiscal year.

(g) EXISTING UNDESIGNATED PARAGRAPHS; REMOVAL OF DUPLICATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by striking the first undesignated paragraph after paragraph (156), relating to Elkhorn Creek, Oregon; and

(2) by designating the three remaining undesignated paragraphs after paragraph (156) as paragraphs (157), (158), and (159), respectively.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes. The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 198, introduced by the gentleman from Massachusetts

(Mr. MEEHAN), would amend the Wild and Scenic Rivers Act by designating a 29-mile segment of the Sudbury, Assabet, and Concord Rivers in the Commonwealth of Massachusetts as part of the National Wild and Scenic River System. The management of the rivers will follow the direction of a cooperative agreement between the National Park Service and a local River Stewardship Council. This bill makes it clear that Federal land acquisition, including easements, is prohibited.

H.R. 193 would also authorize an appropriation to the Secretary of the Interior to carry out the provisions of this bill. This appropriation shall not exceed \$100,000 per fiscal year.

Mr. Speaker, the amendment to this bill simply makes a technical correction to the numbered sequence of the Wild and Scenic Rivers Act. I urge my colleagues to support this bipartisan measure.

Mr. Speaker, I reserve the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 193, introduced by the gentleman from the Commonwealth of Massachusetts (Mr. MEEHAN), would designate segments of the Sudbury, Assabet and Concord Rivers totaling 29 miles in the Commonwealth of Massachusetts as components of the National Wild and Scenic Rivers System.

Title VII of Public Law 101-628 authorized the study of these river systems. The study has been completed, and the river systems were found feasible and suitable for designation.

H.R. 193 would implement the recommendations of the river study, including providing for management of the river segments by the Secretary of the Interior in cooperation with a coordinating committee and in accordance with a management plan that has been completed as part of the study.

The Committee on Resources favorably reported identical legislation last Congress and an identical Senate bill passed the House last fall, with an unrelated amendment. Unfortunately, final action on that measure was not able to be completed prior to adjournment.

The bill is supported by the entire Massachusetts delegation as well as the administration. We believe that it, again, deserves the support of the full House. It is a bipartisan bill, and we would urge to our colleagues the adoption of H.R. 193.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I reserve the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MEEHAN).

(Mr. MEEHAN asked and was given permission to revise and extend his remarks.)

Mr. MEEHAN. Mr. Speaker, I rise in strong support of H.R. 193.

I would like to thank my colleagues in the House from both parties, and in particular the distinguished gentleman from Utah (Mr. HANSEN) for his cooperation not only this year but the last session as well.

I would also like to thank the gentleman from Alaska (Mr. YOUNG), chair of the Committee on Resources; the gentleman from California (Mr. MILLER); and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) in particular for all of their efforts and continuing support of this legislation.

H.R. 193 will amend the Wild and Scenic Rivers Act to designate portions of the Sudbury, Assabet, and Concord Rivers in Massachusetts as "wild and scenic." This designation will protect these rivers from Federal projects that would otherwise have direct and adverse impacts on the free-flowing character of those rivers.

My constituents from Sudbury, Wayland, Lincoln, Concord, Carlisle and Billerica, and others from Framingham and Bedford, have invested an enormous amount of time and energy and effort in securing wild and scenic status for portions of these three beautiful rivers.

With the help of the National Park Service and the Commonwealth of Massachusetts, they completed a congressionally authorized study that demonstrated the rivers' exemplary characteristics and recommended them for wild and scenic designation.

This legislation is a product of a grassroots movement that started over a decade ago. All eight towns bordering the rivers have voiced unanimous support for the designation through numerous town meeting votes. They have also approved the river conservation plan that will guide the rivers' management. It is important to note, as the gentleman from Utah (Mr. HANSEN) has, that H.R. 193 explicitly precluded any Federal taking of private land.

Mr. Speaker, the Sudbury, Assabet, and Concord Rivers have been cherished by Massachusetts residents for hundreds of years and are known throughout the New England region for their exceptional scenic, ecological, recreational and historic value. The historical significance of events along these rivers goes back to the American Revolution, as their banks served as a Revolutionary War battleground.

Today, people come from all over the country to visit the Old North Bridge on the Concord River where the famous "shot heard around the world" was fired. This confrontation sent British troops into retreat and back to Boston in an event that would take on global significance in man's universal struggle for liberty.

American poets, novelists and philosophers such as Ralph Waldo Emerson and Henry David Thoreau have drawn inspiration over the years from these rivers, which were featured in many of their works. Over 100 years

ago, Nathaniel Hawthorne eloquently wrote, "Rowing our boat against the current, between wide meadows, we turn aside into the Assabet. A more lovely stream than this, for a mile above its junction with the Concord, has never flowed on Earth." Nowhere indeed, except to lave the interior of a poet's imagination."

□ 1430

Mr. Speaker, I urge support for this bill.

Mr. MARKEY. I rise in support of H.R. 193, the "Sudbury, Assabet, and Concord Wild and Scenic River Act." Wild and scenic areas are found not only in the vast expanses of the American West but also in pockets in the midst of the cities and towns of the East. As the areas around Boston, including my own district, become increasingly crowded and urban, it is important to preserve natural areas where the beauty and tranquility of nature can become a part of the everyday lives of local communities.

Through the Sudbury, Assabet, and Concord rivers has flowed a remarkable current of history and beauty. Back in 1837 Ralph Waldo Emerson commemorated events that had taken place above the Concord River in 1775 with his unforgettable words, "by the rude bridge that arched the flood, their flag to April's breeze unfurled, here once the embattled farmers stood, and fired the shot heard round the world." Nathaniel Hawthorne wrote of the beauty of the Assabet: "Rowing our boat against the current, between wide meadows, we turn aside into the Assabeth. A more lovely stream than this, for a mile above its junction with the Concord, has never flowed on Earth,—where, indeed, except to lave the interior of a poet's imagination."

Today we have even greater need of scenic rivers to excite the "poet's imagination" in each of us. This bill, by giving Wild and Scenic River status to the Assabet, Sudbury, and Concord rivers, will help ensure that they continue to inspire local communities and the nation in this and future generations. I would like to thank my distinguished colleague Mr. MEEHAN for his tenacious leadership on this bill, and I am glad to join the bipartisan roster of its supporters.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 193, as amended.

The question was taken.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays are ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on H.R. 149, H.R. 171, and H.R. 193, the three bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

HIRAM H. WARD FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. FRANKS of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 92) to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse."

The Clerk read as follows:

H.R. 92

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, shall be known and designated as the "Hiram H. Ward Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Hiram H. Ward Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. FRANKS).

Mr. FRANKS of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 92 designates the Federal building and the United States courthouse located in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse."

Hiram H. Ward is a distinguished jurist who sat on the Federal bench for more than 20 years. He was born and raised in North Carolina and served in the United States Army Air Force during World War II. In 1972, President Nixon appointed Judge Ward to the Federal bench for the Middle District for North Carolina.

He served the Middle District as a judge and chief judge until 1988 when he elected to take senior status. However, even in senior status, Judge Ward continued to sit for an additional 6 years with the Fourth Circuit Court of Appeals.

This is a fitting tribute to a dedicated public servant. I support the bill, and I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WISE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. WISE asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. WISE. Mr. Speaker, I also want to echo the words of the gentleman from New Jersey (Mr. FRANKS), our subcommittee chairman, in recognizing Judge Ward for his many accomplishments and certainly echoing our enthusiasm for naming the courthouse the "Hiram H. Ward Federal Building and United States Courthouse."

Judge Ward became the chief judge in 1982. In 1988, Judge Ward took senior status. He was a member of various judicial committees, including membership on the Committee on Codes of Conduct of the Judicial Conference.

As an alumnist of Wake Forest undergraduate school and law school, Judge Ward is an active participant on the Board of Visitors of Wake Forest University. Additionally, he is a decorated World War II veteran and earned the Purple Heart.

The committee received numerous letters of support for this bill.

I will include for the RECORD letters of support and recognition. For brevity's sake, I will summarize these letters by saying that there is unanimous agreement on Judge Ward's outstanding contributions to the judicial community as well as his tireless efforts as a public servant.

I support H.R. 92 and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANKS of New Jersey. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Carolina (Mr. COBLE), my distinguished colleague.

Mr. COBLE. Mr. Speaker, I thank the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) for their work in this matter.

Mr. Speaker, this bill is not a case of first impression before this body. It was before us in the last session of the Congress and was approved by the House where it went to the Senate to unfortunately die on the vine because the Senate adjourned prior to addressing several proposals to name buildings in honor of outstanding Americans.

My friends, the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) have told us much about Judge Ward. As has been mentioned, he is an alumnist of Wake Forest University, which is not located in my district. The gentleman from North Carolina (Mr. BURR) and the gentleman from North Carolina (Mr. WATT) each represent portions of Forsyth County in which Winston-Salem is located.

But I had the privilege of appearing before Judge Ward on several occasions 2½ decades ago as an assistant United States attorney. At that time, the United States Attorney was Bill Osteen who now himself sits as a United States District Judge in the Middle District of North Carolina.

As was mentioned by either the gentleman from New Jersey (Mr. FRANKS) or the gentleman from West Virginia (Mr. WISE), Judge Ward distinguished himself prominently during the Second World War, amassed a very impressive war record during that time.

Mr. Speaker, if I may, I would like to share a personal story which I think speaks volumes as to the man whom we honor today. This was the first appearance on the bench by Judge Ward. I do not recall the specific year, nor the month. But it was early in the morning, early in the morning by court standards, Mr. Speaker, 9:30, 10 o'clock. This was the judge's first appearance, as I say, as a jurist.

The first order of business that morning, my friends, was a naturalization ceremony whereby a German woman who had applied for citizenship was recognized that morning, and citizenship was in fact conferred upon her.

At the conclusion of the naturalization ceremony, the newly addressed American woman began to weep, and her sobs became almost uncontrollable. She was weeping heavily. Keep in mind, Judge Ward, although he was a seasoned trial attorney, he was nonetheless a rookie judge. This was his first day in court with the robe.

He looked down from the bench into the eyes of that sobbing German-born woman, and he said to her, "Madam, is there anything that we, the court, can do to assist you in your trouble?"

She regained her composure, and she said to Judge Ward, "My tears, Your Honor, are tears of joy." She said, "I am so happy to be a newly recognized American citizen, but I am weeping because my family and my friends are in Germany, and they are not here in Durham." This was in Durham, North Carolina. "They are not here in Durham to share this very special day in my life with me." Then her sobs became more softly expressed.

Judge Ward said to her, "Madam, most of the people in this courtroom today are Americans as a result of geographic consequences, where their parents happened to be residing at the time of their birth. But," he said to her, "you, madam, unlike most people in this courtroom today, are an American by choice. You have chosen to abandon your citizenship as a German woman, and you have become an American."

Mr. Speaker, I think I will never forget that exchange. Judge Ward's words were so comforting to her, she ceased her weeping, and her facial response expressed a smile. I think she even audibly laughed as a result.

I concluded then, I said, the calm, assuring manner expressed by Judge Ward that morning assuaged the discomfort that plagued and troubled this German-born woman upon whom American citizenship had just been conferred.

I concluded without saying so aloud that this man on the bench will become an outstanding jurist. My conclusion,

Mr. Speaker, was prophetic. Judge Hiram Ward has indeed become an outstanding jurist. I am pleased to be the sponsor of this bill.

I again thank my friends, the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) for their assistance, and the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full Committee on Transportation and Infrastructure.

I urge my colleagues in the House to vote favorably in passage of this proposal.

Mr. FRANKS of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BURR), my distinguished colleague.

(Mr. BURR of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. BURR of North Carolina. Mr. Speaker, I am indeed honored to be here and rise in support of H.R. 92. This bill was previously unanimously passed by this body in the 105th Congress but was not taken up by the United States Senate.

We have heard about the human face behind Judge Ward by the gentleman from North Carolina (Mr. Coble). Clearly, nobody can tell it better than the gentleman from North Carolina (Mr. COBLE).

Let me tell my colleagues a little bit about Hiram Ward, though. After his plane was shot down in a World War II mission over Burma, Judge Ward was decorated with the Purple Heart and the Air Medal. Soon after returning to the United States, he dedicated himself to his education and to his career.

Following that military service, he was quickly accepted and enrolled at Wake Forest College, now Wake Forest University that just had that large comeback against Florida State this past week in basketball.

Judge Ward went on to serve 20 years as a private attorney, gaining the highest respect from his peers and colleagues for his devotion, for his honesty, and for his hard work. Judge Ward's passion and his dedication to his work is echoed still today by his peers and his colleagues in North Carolina's Federal District Courts and the Fourth Circuit Court.

His reputation ultimately earned Judge Hiram Ward an appointment to the Federal bench by President Richard Nixon in 1972. By 1982, he had become chief judge where he would stay until 1988 when he elected senior status.

Mr. Speaker, Judge Ward is a man of commitment, service, and honor. He has provided North Carolina with the kind of service and dedication that I can only hope for in our future.

It is my sincere belief that the legislation currently before this House to designate the Federal building in Winston-Salem as the "Hiram H. Ward Federal Building and United States Courthouse" is both a fitting tribute

for a man who gave so much selfless service to his country and to the people of North Carolina.

I want to thank the gentleman from North Carolina (Mr. COBLE) as the sponsor for introducing this legislation. I want to encourage all of my colleagues to support this bill.

Mr. WISE. Mr. Speaker, I have no more speakers, and I yield back the balance of my time.

Mr. FRANKS of New Jersey. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. FRANKS) that the House suspend the rules and pass the bill, H.R. 92.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

JAMES F. BATTIN FEDERAL COURTHOUSE

Mr. FRANKS of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 158) to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin Federal Courthouse," as amended.

The Clerk read as follows:

H.R. 158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse located at 316 North 26th Street in Billings, Montana, shall be known and designated as the "James F. Battin United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "James F. Battin United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. FRANKS).

□ 1445

Mr. FRANKS of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 158, as amended, designates the United States Courthouse, located in Billings, Montana, as the James F. Battin United States Courthouse.

Judge Battin dedicated his life to public service. He was a Federal District Judge for the United States District Court of Montana, and also a former Member of Congress, having served in the House of Representatives from the 87th through the 91st Congress.

After graduating from high school, he enlisted in the U.S. Navy and ably

served for 3 years in the Pacific. After returning from military service, Judge Battin attended Eastern Montana College in Billings, Montana. He relocated to Washington, D.C. and was graduated from George Washington University Law School. He was later admitted to the D.C. Bar.

Judge Battin returned to Montana in the mid 1950s and accepted county and municipal attorney posts. He was elected to the Montana State House of Representatives and served in the State House until his election to the United States House of Representatives in the 87th Congress. He went on to serve four succeeding terms.

During his tenure in Congress he served on the Committee on Committees, the Executive Committee, the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Ways and Means.

In 1969 President Nixon appointed Judge Battin to the United States District Court for the District of Montana. He served as Chief Judge from 1978 and took senior status in 1990. From the bench he diligently served the District of Montana, as well as additional assignments in the United States District Courts for Washington, Oregon, California, Arizona, Hawaii and Georgia.

Judge Battin passed away in 1996.

This is a fitting tribute to a distinguished jurist and dedicated public servant. I support the bill, as amended, and urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. WISE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 158, a bill to designate the courthouse in Billings, Montana as the James F. Battin United States Courthouse.

In 1969 President Nixon appointed James Battin to the Federal bench in Billings, Montana, where he continued his four decades of public service to the citizens of Montana. In 1978 James Battin was appointed Chief Judge and served in that position for 12 years. He remained active in judicial affairs until his death in September of 1996.

Prior to his judicial appointment, Judge Battin served in the House of Representatives, representing eastern Montana. In 1960 he was elected to the Montana House and served until 1969, when he resigned to receive the judicial appointment.

While in this body, the House of Representatives, Judge Battin served on the Committee on the Judiciary as well as the Committee on Foreign Affairs and the Committee on Ways and Means. It is interesting to note that Judge Battin's son continued that tradition, Jim Battin, and he currently serves in the California assembly, representing the 80th District.

It is fitting and proper to honor the extensive contributions Judge Battin has made to public service with designating the Federal building in Billings, Montana, as the James F. Battin United States Courthouse.

I support H.R. 158 and urge my colleagues to also support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANKS of New Jersey. Mr. Speaker, I yield 5 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman for yielding me this time, and I am pleased today to present to the House H.R. 158, legislation that would designate the United States Courthouse in downtown Billings as the James F. Battin State Courthouse.

While there are a few Members in and around this chamber who remember Jim Battin as Montana's eastern Congressional District representative, and others who remember him as a distinguished member of the Federal bench, I want to take a few minutes today to give my colleagues some reflections on the life of the man we will honor today.

James Battin earned a reputation for effectiveness and for integrity during five terms here in the Congress and for 27 years on the Federal bench. His accomplishments range from building new protections for the environment and wilderness preserves, to rulings on streamlining the Federal Judiciary proceedings. He, for example, created the precedent for the now universally accepted six-man Federal jury in Federal cases.

After high school, James Battin served in the U.S. Navy during World War II. And after the war, he began his career in public service as a city attorney in Billings, Montana.

In 1958 he was elected to the Montana State legislature, and in 1960 he successfully ran for the U.S. House of Representatives.

During his first term in the U.S. House, James Battin was chosen by his fellow freshmen legislators to sit on the House Committee of Committees. And as a member of that critical House overseer, he secured a seat for himself in his first term on the House Committee on Ways and Means. Monitoring the Federal purse strings from this vantage point, Battin solidified the respect of his colleagues, exerting great influence on behalf of his large home State.

In his second term, Battin was appointed to the House Committee on Foreign Affairs, an assignment soon followed to the House Committee on the Judiciary.

With a growing list of Congressional responsibilities and influence, he came to play an instrumental role in a host of legislation, among these the law creating the Montana Bob Marshall Wilderness Area, at that time the largest wildlife reserve in the United States.

Throughout the 1960s he would serve Montana for five terms in the U.S. House, each time winning election by a wider and larger landslide margin.

In addition to his duties in Washington, James Battin would go on to serve as one of two United States Congressional representatives to the Intergovernmental Committee on European Mi-

gration, which met in Geneva. This group helped persons forced from behind the Iron Curtain to reestablish themselves in other countries with useful occupations. And as an emissary of this Nation, he brought assistance and stewardship of our government to helping people form new businesses.

In 1968 Battin was selected to serve as President Nixon's representative to the Platform Committee at the Republican National Convention. Amid a time of change, upheaval and war abroad, he helped articulate his party's vision for the future of America.

With a congressional career moving at full pace, and his influence increasing every year, Battin welcomed new representatives and took them in stride and helped them adjust.

In 1969 Battin was asked by President Nixon to serve as a Federal District Judge in San Francisco. The new post appealed to the five-term Congressman and represented a huge stepping stone in his career. However, Battin declined because, while he aspired to be a Federal judge, he wanted to raise his family in the quiet beauty of his home State of Montana, a life unlike what he expected would occur in San Francisco.

Soon after, a Federal judgeship became available in his home State in Billings. His judicial home became the Billings Federal Courthouse, which we are redesignating today. James Battin became the first judicial appointment of the new Nixon administration. He went on to serve and excel in this post for 27 years, becoming the District of Montana's Chief Judge in 1978.

During that time, Battin issued key rulings affecting the lives of Montana citizens, among them, preserving access to the Bighorn River for all the people across the State.

A dedicated and hard working man, he remained on the bench until his passing in the autumn of 1996.

James Battin is best remembered as a dedicated husband and father whose first priority was always with his family.

While he proceeded us here by more than 30 years, he stood for the enduring values that bring so many of us to Congress today, the importance of family, a better government, and the desire to serve his fellow citizens.

H.R. 158 is a tribute to a great person. His accomplishments are numerous, and his contribution to the lives of his neighbors is echoed by the wide support he enjoyed among Montana residents for decades.

Mr. Speaker, I am proud to offer this legislation as a token of Montana and the Nation's deep gratitude for a lifetime of dedicated service. I urge my colleagues' support for H.R. 158.

Mrs. BONO. Mr. Speaker, I rise in support of H.R. 158, that designates the United States Courthouse located in Billings, Montana, as the "James F. Battin Federal Courthouse."

This honor is certainly a very fitting tribute for Judge Battin. He is a remarkable example in our recent history of someone who dedicated himself to public service for the good of

our country. After high school, James Battin served in the U.S. Navy during World War II. Following the war he began his career in public service as a city attorney in Billings, Montana. In 1958 he was elected to the Montana State legislature, and in 1960 successfully ran for a seat in the U.S. House of Representatives. For five terms, he served in the U.S. Congress with distinction.

Judge Battin was appointed to the Federal bench by President Nixon in 1969 to serve as a Federal District Judge for the United States District Court of Montana. He developed a reputation as a fine jurist and went on to serve as Chief Judge from 1978 until he elected to take a senior status in 1990.

An even greater monument to this fine man's life is his family. They were always his priority as a husband and parent. Yet, the humble honor that this legislation ensures is certainly a fitting tribute to a distinguished judge and dedicated public servant. I support the bill and I urge my colleagues to support it.

Mr. WISE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FRANKS of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New Jersey (Mr. FRANKS) that the House suspend the rules and pass the bill, H.R. 158, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the 'James F. Battin United States Courthouse'."

A motion to reconsider was laid on the table.

RICHARD C. WHITE FEDERAL BUILDING

Mr. FRANKS of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 233) to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal building".

The Clerk read as follows:

H.R. 233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 700 East San Antonio Street in El Paso, Texas, shall be known and designated as the "Richard C. White Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Richard C. White Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. FRANKS).

Mr. FRANKS of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 233 designates the Federal building located in El Paso, Texas, as the Richard C. White Federal Building.

Congressman White represented the 16th District of Texas in the United States House of Representatives for nine successive terms, from 1965 to 1983. He was known for his dedication to public and community service. He served in the United States Marine Corps during World War II, receiving the military order of the Purple Heart. He also served in the Texas State House of Representatives from 1955 to 1958.

In 1983, after serving his ninth congressional term, Congressman White returned to his family in El Paso to resume his legal career and serve as a civic leader. He passed away in February 1998.

As a dedicated public servant to the people of El Paso, this is indeed a fitting tribute. I support the bill and I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WISE. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. REYES), who has worked so hard to get this bill to the floor.

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of H.R. 233 and urge this House to pass it. I am proud to have authored the legislation to name the Federal building in El Paso, Texas, after Richard C. White, who represented the people of El Paso in Congress for nine terms, from 1965 to 1983.

In his years of service to our Nation and the people of the 16th District, Congressman White showed genuine concern for his constituents and a commitment to do all that was in his power to help those whom he served. He truly led a life filled with integrity, compassion and contribution to the well-being of others, and he made a lasting impression on the lives of all who knew him.

I would like to thank the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), and the majority leader, the gentleman from Texas (Mr. ARMEY), as well as the minority leader, the gentleman from Missouri (Mr. GEPHARDT), for scheduling this bill on the floor today.

I would also like to thank the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the chairman and ranking members of the Committee on Transportation and Infrastructure, for their support of this legislation as well. Their expeditious schedul-

ing of this bill is greatly appreciated by the people of El Paso.

Also, I want to thank the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE), the chairman and ranking members of the Subcommittee on Public Buildings and Economic Development, for their support and managing of this legislation today.

I would also like to extend my gratitude to the 50 Members who cosponsored H.R. 233. Congressman White would have been proud and pleased to know of his many friends in the 106th Congress who knew him and remembered his legacy of public achievement and his leadership on behalf of our great Nation.

Early in his life Richard White showed a great concern and commitment to his community and to his country. He entered military service as a marine in World War II and saw action in the Pacific theater. While fighting in the battles of Bougainville, Guam and Iwo Jima, he was wounded in action, and his service to his country was marked with great honor and decoration, receiving the military order of the Purple Heart.

Upon returning to the States, this military veteran began advocating as an outstanding lawyer for the people of El Paso. In heeding a call for greater community service, Congressman White launched the beginning of a distinguished career as a legislator, serving first in the Texas House from 1955 to 1958.

From the beginning, he worked hard to improve the quality of life along the border, focusing on health care and environmental issues. He established a nursing home at the University of Texas at El Paso and created the Hueco Tanks State Park.

Richard White launched his Congressional career in 1965 as a representative for the 16th District of Texas. Many of my colleagues now were also his colleagues and remember his strong advocacy on behalf of his District. Congressman White exemplified the epitome of public service.

His work on the Committee on Armed Services reflected a strong commitment to national security, providing unwavering support for Fort Bliss's Army Post and in drafting the reorganization of the legislation for the Joint Chiefs of Staff. In addition, he brought the needs of El Paso and the border to the forefront in Congress as he created the Chamizal Border Highway and the Chamizal National Memorial.

He also served with distinction on several other committees, the Committee on Interior and Insular Affairs, Committee on Post Office and Civil Service, and on the Committee on Science and Technology.

Even though having attained seniority and earning the respect and admiration of his peers, he nevertheless left Congress to return to his family in El Paso. Very typical of Congressman Richard White. The proud father of

seven children, he was intent on spending more time with them and seeking other alternatives to civic service.

I can say today, Mr. Speaker, that Richard White made the most of his life by touching the lives of those around him.

□ 1500

He was a dedicated representative, a loving husband, a caring father and, most of all, a friend. But, in all of this, he was a consummate professional in everything he did. He was a tremendous leader and a true gentleman who left behind a legacy for all public servants to emulate. It is only fitting that we honor and remember him by passing this legislation today.

I, therefore, look forward to the Senate's quick enactment of the bill and the President's signature of this legislation. With the passage of this bill into law, the designation of the "Richard C. White Federal Building" will serve as a perpetual reminder to our community that he served so well, with the highest values of public service and the ability of one person to improve the lives of many.

Mr. FRANKS of New Jersey. Mr. Speaker, I yield back the balance of my time.

Mr. WISE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, from being a distinguished war veteran to a representative in Congress to a devoted family man, Mr. White clearly has left his mark. It is most fitting and proper that we support this legislation and honor the civic career of Richard C. White by designating the Federal building in El Paso as the "Richard C. White Federal Building."

Mr. Speaker, H.R. 233 is a bill to designate the federal building in El Paso, Texas as the "Richard C. White" Federal Building.

As you may know Richard White was a former colleague from Texas who represented the 16th district of Texas from 1965 until 1983. I wish to acknowledge the persistent efforts of Congressman REYES, sponsor of the bill, who currently hold this seat. Congressman REYES worked diligently with Committee members to ensure this bill came to the House floor in a timely manner.

Congressman White was a native born Texan from El Paso who attended the University of El Paso, and later received his law degree from the University of Texas in Austin.

From 1942 until 1945 he served his country with honor and distinction. As a United States Marine stationed in the Pacific he saw active duty and was awarded the Military Order of the Purple Heart.

In 1965 he was elected to the United States Congress where he served for 9 terms. While in Congress he served on the Armed Services, Interior, Post Office and Civil Service, and the Science and Technology committees where he was known as a team player, and consensus builder.

In 1983 he retired to El Paso, resumed his legal career and became active in numerous civic activities. Richard White was a devoted husband and father of 7 children. His values, character, integrity, and leadership were assets to the United States Congress.

It is most fitting and proper that we support this legislation and honor the civic career of Richard C. White by designating the federal building in El Paso as the "Richard C. White" Federal Building.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New Jersey (Mr. FRANKS) that the House suspend the rules and pass the bill, H.R. 233.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RONALD V. DELLUMS FEDERAL BUILDING

Mr. FRANKS of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 396) to designate the Federal building located at 1301 Clay Street in Oakland, California, as the "Ronald V. Dellums Federal Building."

The Clerk read as follows:

H.R. 396

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 1301 Clay Street in Oakland, California, shall be known and designated as the "Ronald V. Dellums Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Ronald V. Dellums Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. FRANKS) and the gentleman from West Virginia (Mr. WISE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. FRANKS).

Mr. FRANKS of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 396 designates the Federal building located in Oakland, California, as the "Ronald V. Dellums Federal Building."

Congressman Dellums was born in Oakland, California. After finishing high school, he served for 2 years in the United States Marine Corps and received an honorable discharge. He then followed educational pursuits and received his A.A. from Oakland City College in 1958, his B.A. from San Francisco State University in 1960, and his MSW from the University at Berkeley in 1962.

In his public role, Congressman Dellums served on the Berkeley City Council from 1967 until 1970, when he was then elected to the United States House of Representatives to represent northern Alameda County. Congress-

man Dellums championed issues involving civil rights, equal rights for women, human rights, and the environment.

At the time of his resignation, Congressman Dellums was the ranking member on the House Committee on National Security. During his tenure, he also held the chairmanship of the Committee on Armed Services and the Committee on the District of Columbia. Throughout his 27-year career, Congressman Dellums served on a variety of other committees and caucuses, including the Committee on Foreign Affairs, the Committee on the Post Office and Civil Service, the Permanent Select Committee on Intelligence, and the Congressional Black Caucus. He resigned in January of 1998 to return to private life.

This is a fitting tribute to our former colleague, who, I might add, was clearly the best-dressed Member of this body. I support this bill, and I urge my colleagues to support the bill as well.

Mr. Speaker, I reserve the balance of my time.

Mr. WISE. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. MILLER), the sponsor of the legislation.

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I thank the committee so much for bringing this legislation to the floor. We truly honor a man of great character, of great integrity and of great dignity with the naming of this building for our former colleague, Congressman Ron Dellums, a man who led not only our Bay Area delegation but led national movements on behalf of human rights and who brought the titans of apartheid to their knees and dragged a reluctant American government along the way.

He has fought for civil rights for all Americans and, more than any other Member of Congress, he helped to clearly illustrate how an overfed military budget was literally starving our children, our schools and our communities. When it came time to cut that budget, when it came time for the base closures and the various rounds of base closures, Ron worked hard as the chairman of the Committee on Armed Services to make, in fact, sure that those closures were fair, that people had a chance to be retrained and to be reemployed and so their families would not suffer from the closure of those bases and to make sure that the communities in fact were able to absorb those bases into our local economies and to redeploy those assets in the civil economy.

I just want to say that this building is more than about bricks and mortar, it is about truly a monument to an individual that, as people from our community go in and out of this building in Oakland, they will know that in fact this is named for someone who truly cared about them during his entire career in public service.

I am honored to have carried this legislation. Again, I want to thank the committee so much for taking the time and the effort to get this to the floor in such a timely fashion.

Mr. WISE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 396, a bill to honor Ron Dellums by naming the Federal building located at 1301 Clay Street in Oakland, California, as the "Ronald V. Dellums Federal Building."

As my colleagues know, Ron represented the 9th District of California for 26 years and during that period distinguished himself in many, many ways. He fought tirelessly for vigorous examination of the state of our military establishment, including its purposes, its budget and other issues involving racial and sexual discrimination. He was a tireless fighter on this floor against apartheid and brought the Congress along with him.

Ron was a dynamic advocate for arms reduction and peaceful resolution of international conflict. His interest extended to health care, civil rights, Congressional authority and alternative budgets. He was a great friend, a mentor, always a gentleman, and a leader. His kindness and humor on this floor are greatly missed.

If I could just add, Mr. Speaker, there are several words that describe Ron. One is always "passion," passion for the causes he fought for, fought for eloquently and always fairly. The other word that comes to my mind immediately is "civility." This building should be a monument to the civility that we should have as we discuss the differences between us. Someone once said that the key is to be able to disagree without being disagreeable, and Ron Dellums represented that to the utmost.

This bill has very broad bipartisan support. I wish to thank the gentleman from California (Mr. MILLER) for his diligent efforts on behalf of the bill and join him and many others in supporting this bill and urge passage of H.R. 396.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANKS of New Jersey. Mr. Speaker, I reserve the balance of my time.

Mr. WISE. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding; and I particularly thank the chairman and the ranking member for their attention to this bill.

I strongly support H.R. 396. I support this bill which names a Federal facility for a man who loved his country, even when he was one of its greatest critics.

Ron Dellums had range in this body, from his deep leadership on international affairs to his involvement in the most local of issues, the District of Columbia. He was ranking member of the Committee on National Security, and he chaired the D.C. Committee.

When I say, "range," I mean range. On the great issues of the day, eliminating poverty, protecting civil rights, making sure that all Americans had civil liberties, Ron Dellums' name is indelibly left with this body.

Ron may be remembered perhaps most of all for South Africa's sanctions. He fought for sanctions against South Africa when it was all but a lost cause, until finally they developed a national and an international consensus that in fact led to the elimination, the beginning of the end, of South African apartheid.

Mr. Speaker, I say without fear of contradiction that there was no more popular man in this body even when his views, as they often were, were unpopular in this body. Here is a man who could take his unpopular views, walk over to the other side of the aisle, ask for time to speak to give his unpopular view and get it from the other side. That is a man who enjoys respect and admiration.

I cannot close without saying what Ron Dellums did for the District of Columbia in particular. He was a longtime chair of the Committee on the District of Columbia. It was a different time, very different. There was plenty of money. And, thus, the kinds of scrutiny that has become necessary in the hard times in the 1990s were not what the D.C. Committee was all about. Then it was all about protecting home rule and moving the District forward to stand on its own feet. He held the District's feet to the fire, while insisting that the District stand on its own feet.

He will be remembered particularly fondly among the residents of this city. In this body, he will be remembered as one of its great orators, as he would have it I suppose, given his work on the Committee on Armed Services, as an officer and a gentleman.

Mr. WISE. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. LEE) who has had the privilege of succeeding Ron Dellums in office.

Ms. LEE. Mr. Speaker, I thank the gentleman from West Virginia for yielding this time.

Mr. Speaker, I rise to proudly support H.R. 396, a bill to designate the Federal building in Oakland, California, as the "Ronald V. Dellums Federal Building."

I want to also thank my distinguished colleague, the gentleman from California (Mr. MILLER), for reintroducing this bill which passed the House last session.

The building for which we seek support was completed in 1993. Congressman Dellums worked closely with many of my colleagues to get this building authorized and appropriated. He sought our support because he strongly believed that this building would provide an anchor in the revitalized city center in Oakland, California; and, of course, he was right.

His work to gain support for this building and his faith in the develop-

ment potential of downtown Oakland have been amply rewarded. In the 6 years since the occupation of this building, the surrounding blocks have flowered with new plazas, new businesses and new buildings.

Congressman Dellums, in his usual humble manner, would undoubtedly be embarrassed by these words today and by our efforts to name this building after him. However, I strongly believe and I hope my colleagues will all join me in recognizing the work that my distinguished colleague accomplished during his years of service in the House of Representatives representing what started out as the 7th Congressional District and evolved into the present 9th Congressional District.

He is a native son of Oakland, California. Ron was born on November 24, 1935, actually in our county hospital, in Highland Hospital. His family has proud roots in the union movement of the 1940s. He attended and graduated from public schools in the district and went on to earn an Associate of Arts degree from Oakland City College in 1958, a B.A. from San Francisco State University in 1960, and a Master's in social welfare from the University of California, Berkeley, in 1962.

My colleagues can see from the family tree that a mighty seed was sown. Congressman Dellums' roots were planted firmly in his interest in social justice for all of society. The high esteem in which he was held by constituents, friends, family and colleagues never wavered over the years.

Ron Dellums was first elected to the Berkeley City Council on which he served from 1967 to 1970. He was elected on a platform of civil rights, civil liberties and economic and social justice. His service to the council was so spectacular that he was drafted to run as a civil rights and anti-war candidate, a peace candidate, for a seat that was held by a pro-Vietnam war incumbent in the House.

Ron served 2 years in the Marine Corps, leaving with an honorable discharge to continue his academic education. His training and service in the Marine Corps stood him in good stead as he sought an appointment and then served as a member of the Committee on Armed Services.

Ron's constituents were civil rights and anti-war activists, and one of the first commitments he made was to find a peaceful resolution to the war in Southeast Asia. He became one of the strongest voices and advocates for arms reduction and developing alternatives to military excursions and war. He served for 25 years on the Committee on Armed Services, now known as the Committee on National Security, and became the chair of that committee in 1992.

So it is not an exaggeration to say that many in his district love him for his work and for the humanity and the humility with which he conducted himself. His record is one to which we all can aspire.

The Federal building in Oakland, California, stands tall with dignity and it commands respect. It is very fitting that it be named the "Ronald V. Dellums Federal Building."

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 396, a bill to name a federal building in Oakland, CA, in honor of the former Chairman of the House National Security Committee, Ronald V. Dellums.

After a distinguished tour in the United States Marine Corps, Chairman Dellums began dedicating his life to public service and to helping others. Congressman Dellums was first elected to public office as a member of the Berkeley City Council.

Congressman Ronald Dellums was first elected to the 92nd Congress on November 3, 1970 and re-elected to each succeeding Congress until his retirement during the 105th Congress. Marine, Council Member, Congressman, Chairman, leader and father—these are just a few of the many titles utilized to describe Representative Dellums.

As Chairman, Congressman Dellums was a passionate and reasonable advocate of lower military spending. He used the power and discretion of the gavel to foster a wide and robust debate on issues about national security, military spending and acquisitions.

I can not think of a higher compliment to give a lawmaker than to say that he stood upon his convictions in the face of opposition with honor and dignity. Although, Congressman Dellums was a democrat, he was a non-partisan coalition builder that diligently worked to make America stronger and more inclusive for everyone.

I urge every member of Congress to join me in expressing our appreciation for Ron's dedicated years of service to this House and our country. Let us pass H.R. 396. It has the support of the Transportation and Infrastructure Committee and the citizens of California.

Congressman Dellums fought for this building to be authorized and appropriated because he had the economic projections and the faith that the construction of the building would provide one of the major financial anchors in a city center that had every potential of abandonment.

It is only appropriate that this building be named in his honor.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 396 which names the federal building in Oakland, CA, after Ron Dellums, our distinguished former colleague and dear friend.

Mr. Speaker, by designating the Ronald V. Dellums Federal Building we honor a colleague who provided the nation and his constituents with an outstanding record of public service.

All of us in this chamber know of the leadership Ron Dellums provided on the Armed Services Committee. He defined national security to include not only a strong defense, but a nation with a strong economy and a system of justice that lifts up all its citizens.

It is most appropriate that we honor Ron by naming the federal building in Oakland after him because Ron Dellums never forgot where he came from and the people he represented. Ron took their issues of economic justice and civil rights and not only made them his priorities but our nation's as well.

Ron stood before us in this chamber and in his splendid speeches reminded us of the need to recognize the human consequences

of the legislation we were about to vote on. Ron Dellums always spoke about our responsibility to be compassionate and remember how our actions effect the individual citizen.

Mr. Speaker, by naming the federal building in Oakland after Ron Dellums we tell the citizens of Oakland that their government not only honors Ron Dellums but seeks to emulate him by providing the type of service that Ron gave to his constituents for so many years.

Mr. STARK. Mr. Speaker, I rise today in support of HR 396 to designate the Ronald V. Dellums Federal Building in Oakland, CA.

Ron Dellums spent his 27 years in Congress as an advocate for special justice. Throughout most of his career in Congress, I had the privilege to serve with Ron Dellums as he fought to bring home our troops in Vietnam, championed civil rights, and worked to end apartheid in South Africa. As a member and then Chairman of the Armed Services Committee, he argued powerfully and persuasively for cuts in wasteful defense spending.

The Ronald V. Dellums Federal Building will be a lasting tribute to my East Bay neighbor and friend for the legacy he leaves our nation.

□ 1515

Mr. WISE. Mr. Speaker, I enthusiastically urge support of this bill, and I yield back the balance of my time.

Mr. FRANKS of New Jersey. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New Jersey (Mr. FRANKS) that the House suspend the rules and pass the bill, H.R. 396.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FRANKS of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 158, as amended; H.R. 92; H.R. 233; and H.R. 396.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 171, by the yeas and nays;

H.R. 193, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

COASTAL HERITAGE TRAIL ROUTE, NEW JERSEY, AUTHORIZATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 171.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 171, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 394, nays 21, not voting 18, as follows:

[Roll No. 22]

YEAS—394

Abercrombie	Crane	Hayes
Ackerman	Crowley	Hayworth
Aderholt	Cubin	Hefley
Allen	Cummings	Herger
Andrews	Cunningham	Hill (IN)
Archer	Danner	Hill (MT)
Army	Davis (FL)	Hilliard
Bachus	Davis (VA)	Hinchey
Baird	Deal	Hinojosa
Baker	DeFazio	Hobson
Baldacci	DeGette	Hoeffel
Baldwin	DeLauro	Hoekstra
Ballenger	DeLay	Holden
Barcia	DeMint	Holt
Barrett (NE)	Deutsch	Hooley
Barrett (WI)	Diaz-Balart	Horn
Bartlett	Dickey	Houghton
Barton	Dicks	Hoyer
Bateman	Dingell	Hunter
Becerra	Dixon	Hutchinson
Bentsen	Dooley	Hyde
Bereuter	Doolittle	Inlee
Berkley	Doyle	Istook
Berman	Dreier	Jackson (IL)
Berry	Dunn	Jackson-Lee
Biggert	Edwards	(TX)
Bilbray	Ehlers	Jefferson
Bilirakis	Ehrlich	Jenkins
Bishop	Emerson	Johnson (CT)
Blagojevich	Engel	Johnson, E. B.
Bileley	English	Johnson, Sam
Blumenauer	Eshoo	Jones (OH)
Boehlert	Etheridge	Kanjorski
Boehner	Evans	Kaptur
Bonilla	Ewing	Kasich
Bonior	Farr	Kelly
Bono	Fattah	Kennedy
Borski	Filner	Kildee
Boswell	Fletcher	Kilpatrick
Boucher	Foley	Kind (WI)
Boyd	Forbes	King (NY)
Brady (PA)	Ford	Kingston
Brady (TX)	Fossella	Klecza
Brown (CA)	Fowler	Klink
Brown (FL)	Frank (MA)	Knollenberg
Brown (OH)	Franks (NJ)	Kolbe
Bryant	Frelinghuysen	Kucinich
Burr	Frost	Kuykendall
Buyer	Galleghy	LaFalce
Callahan	Ganske	LaHood
Calvert	Gejdenson	Lampson
Camp	Gekas	Lantos
Campbell	Gephardt	Largent
Canady	Gibbons	Larson
Cannon	Gilchrest	Latham
Capuano	Gilman	LaTourette
Cardin	Gonzalez	Lazio
Carson	Goode	Leach
Castle	Goodlatte	Lee
Chambliss	Goodling	Levin
Clay	Gordon	Lewis (CA)
Clayton	Goss	Lewis (GA)
Clement	Graham	Lewis (KY)
Clyburn	Granger	Linder
Collins	Green (TX)	Livingston
Combest	Green (WI)	LoBiondo
Condit	Greenwood	Lofgren
Conyers	Gutknecht	Lowe
Cook	Hall (OH)	Lucas (KY)
Cooksey	Hall (TX)	Lucas (OK)
Costello	Hansen	Luther
Cox	Hastings (FL)	Maloney (CT)
Coyne	Hastings (WA)	Maloney (NY)
Cramer		Manzullo

Markey	Phelps	Souder
Martinez	Pickering	Spence
Mascara	Pickett	Spratt
Matsui	Pitts	Stabenow
McCarthy (NY)	Pomeroy	Stark
McCollum	Porter	Stenholm
McCrery	Portman	Strickland
McDermott	Price (NC)	Stupak
McHugh	Pryce (OH)	Sununu
McInnis	Quinn	Sweeney
McIntosh	Rahall	Talent
McIntyre	Ramstad	Tancredo
McKeon	Regula	Tanner
McKinney	Reyes	Tauscher
McNulty	Reynolds	Tauzin
Meehan	Riley	Terry
Meek (FL)	Rivers	Thomas
Meeks (NY)	Rodriguez	Thompson (CA)
Menendez	Roemer	Thompson (MS)
Metcalfe	Rogan	Thornberry
Mica	Rogers	Thune
Miller (FL)	Ros-Lehtinen	Thurman
Miller, Gary	Rothman	Tierney
Miller, George	Roukema	Toomey
Minge	Roybal-Allard	Towns
Mink	Ryan (WI)	Trafficant
Moakley	Ryun (KS)	Turner
Mollohan	Sabo	Udall (CO)
Moore	Salmon	Udall (NM)
Moran (KS)	Sanchez	Upton
Moran (VA)	Sanders	Velasquez
Morella	Sandlin	Vento
Murtha	Sawyer	Visclosky
Myrick	Saxton	Walden
Nadler	Scarborough	Walsh
Napolitano	Schaffer	Wamp
Neal	Schakowsky	Waters
Nethercutt	Scott	Watkins
Ney	Serrano	Watt (NC)
Northup	Sessions	Watts (OK)
Norwood	Shadegg	Waxman
Nussle	Shaw	Weiner
Oberstar	Shays	Weldon (FL)
Obey	Sherman	Weldon (PA)
Oliver	Sherwood	Weller
Ortiz	Shimkus	Wexler
Ose	Shows	Weygand
Owens	Shuster	Whitfield
Oxley	Simpson	Wicker
Packard	Sisisky	Wilson
Pallone	Skeen	Wise
Pascarella	Skelton	Wolf
Pastor	Slaughter	Woolsey
Payne	Smith (MI)	Wu
Pease	Smith (NJ)	Wynn
Pelosi	Smith (TX)	Young (AK)
Peterson (MN)	Smith (WA)	Young (FL)
Peterson (PA)	Snyder	

NAYS—21

Barr	Hostettler	Royce
Burton	Jones (NC)	Sanford
Chabot	Paul	Sensenbrenner
Chenoweth	Petri	Stearns
Coble	Pombo	Stump
Coburn	Radanovich	Taylor (NC)
Everett	Rohrabacher	Tiahrt

NOT VOTING—18

Bass	Gutierrez	Millender-
Blunt	Hilleary	McDonald
Capps	Hulshof	Rangel
Davis (IL)	John	Rush
Doggett	Lipinski	Taylor (MS)
Duncan	McCarthy (MO)	
Gillmor	McGovern	

□ 1545

Messrs. EVERETT, PETRI, STEARNS, ROYCE, ROHRABACHER, COBLE, JONES of North Carolina and RADANOVICH changed their vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

SUDBURY, ASSABET, AND CONCORD WILD AND SCENIC RIVER ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 193.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 193, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 22, not voting 16, as follows:

[Roll No. 23]

YEAS—395

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Army
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp

Campbell
Canady
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combust
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge

Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gillman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoefel
Hoekstra
Holden
Holt

Hooley
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)

Burton
Cannon
Chenoweth
Coble
Coburn
DeLay
Doolittle
Everett
Blunt
Capps
Davis (IL)
Doggett
Duncan
Gutierrez

Menendez
Metcalfe
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascarella
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Picketing
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky

NAYS—22

Gibbons
Hostettler
Jones (NC)
Paul
Petri
Pombo
Rohrabacher
Royce
Hilleary
Hulshof
John
Lipinski
McCarthy (MO)
McGovern

NOT VOTING—16

Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

1558

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HULSHOF. Mr. Speaker, pursuant to rules change for the 106th Congress, I am informing you that I missed two votes today, Role Number 22 and 23, taken on H.R. 171 and H.R. 193. These votes were missed due to a canceled airline flight caused by a snowstorm in the Midwest. On these votes, I would have voted "aye."

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall votes 22 and 23 on February 23, 1999, I was unavoidably detained. Had I been present, I would have voted as follows: on rollcall vote 22, "yea" and on rollcall vote 23 "yea."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

RANKING OF MEMBERS ON COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. SESSIONS. Mr. Speaker, I offer a resolution (H. Res. 73) and ask unanimous consent for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 73

Resolved, That Mr. PORTMAN shall rank immediately following Mr. CAMP on the Committee on Standards of Official Conduct.

The SPEAKER pro tempore (Mr. HAYES). Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 409, FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1999

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-26) on the resolution (H. Res. 75) providing for consideration of the bill (H.R. 409) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 438, WIRELESS COMMUNICATIONS AND PUBLIC SAFETY ACT OF 1999

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-27) on the resolution (H.Res. 76) providing for consideration of the bill (H.R. 438) to promote and enhance public safety through use of 911 as the universal emergency assistance number, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 514, WIRELESS PRIVACY ENHANCEMENT ACT OF 1999

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-28) on the resolution (H. Res. 77) providing for consideration of the bill (H.R. 514) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HOUSE SHOULD CONSIDER DISTRICT OF COLUMBIA APPROPRIATIONS FIRST, RATHER THAN LAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor this afternoon to speak about the District of Columbia. But I think it only appropriate to report what I have just heard, and that is that in the capital murder trial of John William King, the first of three men accused in the dragging death murder of James Byrd, Jr., the jury has just reported a guilty verdict in Jasper, Texas. Justice has been done, and southern justice this time has been done.

Mr. Speaker, we are back to work in earnest. The Speaker has developed a workmanlike schedule. I come to the floor this afternoon to ask that the easiest bill in the House, the bill having least to do with the business of this House, be the first appropriation bill reported in this House. I speak of the D.C. appropriation bill.

It is amazing that most often it is the last and not the first bill. When I brought the new Mayor to see the Speaker, he agreed that we should hasten this bill. During the fiscal crisis, it has been especially painful to have the

District appropriation bill so late. The District has been on time, but the bill has been needlessly controversial.

Delay hurts in the worst way because it affects the credit standing of a city that is only now getting its credit back. And it is getting its credit back. It has had three straight years of surpluses. However, it is the unpredictability of the appropriation process here that hurts the credit rating.

There is no Federal payment any longer, so it is quite amazing that the budget of a local jurisdiction would have to come here at all. Suppose my colleagues' cities, their counties' budgets came here. They would tell us to get out of town. It is an historic anomaly; it is an injustice.

It has to come. At least let no more injustice be done by holding it up. We collect \$5 billion from D.C. taxpayers in the District of Columbia. All the District asks of this body is: "Give us back our money as soon as you get it."

We will have before us a consensus budget. It will be a very balanced budget. The consensus budget notion came out of an amendment that I put into the Control Board statute that allows the District now, instead of having its budget go through the normal separation of powers, to have everybody sit around a table and agree on a budget so as to hasten the time. Therefore, to hasten the time to draw their own budget, the least the Congress can do is to enact their own budget as soon as possible.

After 3 years of surpluses, a new Mayor who earned his stripes as chief financial officer and helped get the city back on its financial feet, the city, I think, has a right to ask of the Congress that we do our job. If we must look at a local budget, look at it fast, say what we have to say, do what we have to do, and let us then get on with the business of the District of Columbia.

Mr. Speaker, I believe that this House does have confidence in the Mayor and in the District itself. Last week or the week before last, we passed in this House the first half of my D.C. Democracy 2000 bill which gives back to the new Mayor, Tony Williams, powers that were taken from a previous Mayor in 1997.

There has already been real confidence in this Mayor. The best way to encourage the Mayor and to encourage the city is to give it back its money first.

The first bill to come here should be the District bill. It is a way of saying to the District that they have reached a consensus budget, they have balanced their budget. In light of that, we have given them the respect to which they are entitled. It is a way of saying, "Here is your money back. Here is your budget back. Please run your own city."

REPORT ON WESTERN HEMISPHERE DRUG ALLIANCE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

I am pleased to provide the attached report on a Western Hemisphere Drug Alliance in accordance with the provisions of section 2807 of the "Foreign Affairs Reform and Restructuring Act of 1998." This report underscores the Administration's commitment to enhancing multilateral counternarcotics cooperation in the region.

Strengthening international narcotics control is one of my Administration's top foreign policy priorities. Because of the transnational nature of the Western Hemisphere drug trafficking threat, we have made enhanced multilateral cooperation a central feature of our regional drug control strategy. Our counternarcotics diplomacy, foreign assistance, and operations have focussed increasingly on making this objective a reality.

We are succeeding. Thanks to U.S. leadership in the Summit of the Americas, the Organization of American States, and other regional fora, the countries of the Western Hemisphere are taking the drug threat more seriously and responding more aggressively. South American cocaine organizations that were once regarded as among the largest and most violent crime syndicates in the world have been dismantled, and the level of coca cultivation is now plummeting as fast as it was once sky-rocketing. We are also currently working through the Organization of American States to create a counternarcotics multilateral evaluation mechanism in the hemisphere. These examples reflect fundamental narcotics control progress that was nearly unimaginable a few years ago.

While much remains to be done, I am confident that the Administration and the Congress, working together, can bolster cooperation in the hemisphere, accelerate this progress, and significantly diminish the drug threat to the American people. I look forward to your continued support and cooperation in this critical area.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 23, 1999.

DRUG ABUSE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, it is ironic. Sometimes here we look more organized than we are. I was going to speak on the drug issue. I did not know the

President was going to be sending over right before me his initiatives and comments.

This is a particularly critical time in Congress as we look at decertification questions and the cooperation of foreign countries in the drug issue. We are going to face many issues in this Congress that are very important, the education issue; rebuilding our national defenses, particularly in missile defense; trying to preserve and save Social Security; trying to make sure taxpayers can keep their own money; trying to work with the health care problems we have in this Nation. But drug abuse remains on the street, in our homes and in our neighborhoods, one of the most critical problems we have.

We have heard much over the last months about the moral crisis that our country is facing. And we do, indeed, have a tremendous moral crisis from top to bottom of our society. There is only so much we can do here in Washington related to that. One, we should lead by example. Two, we should try to strengthen those institutions, whether it is in the Tax Code or in different programs, that strengthen families and promote strong family values and moral virtues in our society.

But in one area, in drugs in particular, the government has a direct compelling and active interest. And it is a manifestation of the breakdowns we have in our society that we see rising drug abuse among junior high kids and in high schools in particular, that we see deaths in the district of the gentleman from Texas (Mr. SESSIONS) and throughout Dallas and in the district of the gentleman from Florida (Mr. MICA) in Orlando and in the district of the gentleman from Florida (Mr. MCCOLLUM), where heroin deaths have overtaken the communities to the point of having 25 deaths or more in each of those communities from heroin in a short period of time.

Mr. Speaker, we see crack on the streets of Ft. Wayne, Indiana, and small towns in Indiana and throughout our country. We see people sniffing coke, LSD, methamphetamines. We are getting overrun in this country with that.

We need and will continue to work with a multitude of strategies to address this issue. We need drug prevention interdiction, drug prevention and eradication, drug prevention and treatment, drug prevention and programs in our schools, and drug prevention on our streets to help our police force. All of that is really preventing the drugs from getting there.

The gentleman from Florida (Chairman MICA), of the Subcommittee on Drug Policy of the Committee on Government Reform, led a CODEL, a Congressional delegation, of which I was a part, to the Andean nations of Colombia, Peru and Bolivia where most cocaine and much of our heroin is coming from, as well as Central America where we spent 3 days, among other places, with the leaders in Mexico.

We clearly have some major problems, but what we know is this: That in 1992 to 1994, when we backed up in interdiction efforts, and really into 1995, when we backed up in our interdiction and eradication efforts, this country was flooded with low-price cocaine, new sources for heroin, and methamphetamines in quantities that drove the price down in the streets of Ft. Wayne, Indiana, northeast Indiana, and throughout this country.

We saw the purity go up, and the marijuana that is coming in is nothing like the marijuana in the late 1960s and 1970s that was glamorized in a lot of 1960s type shows. This is potent stuff on our streets that our kids are getting. Because when they have the huge quantities of it and it is cheap in the schools and the streets, there is no amount of DARE programs or treatment programs or putting policemen on the street that can stop this.

Mr. Speaker, we know where it comes from. Some of these countries have been very aggressive for a number of years in eradicating the coca leaves and particularly the production in the cocaine. In Peru and Bolivia, we have seen a turnaround. We have seen their percentages drop.

In Colombia they are at war, and we need to help the Nation of Colombia fight this so that we do not have troops down there. We also have our number one oil supplier on their border, Venezuela, and the Panama Canal on the other border.

□ 1615

That is where we have a compelling national interest. But we have some real problems in Mexico. The Mexican leaders, their government seem very committed to trying to change this problem. But we have deep problems.

Everybody says we should forget the past, but it is difficult to forget the past right now when our information has been compromised and when we have had so much corruption.

We are hopeful, and one of the debates we are going to hear in Congress is how we should deal with this decertification question, because it gets inevitably wrapped up in NAFTA, trade questions, and the fact that an important and critical part of our long-term interests will be to work with Mexico.

But the question is, are we going to have any accountability standards? Since most of the drugs coming into my hometown and the rest of this country are pouring across the border from Mexico right now, we need to see results and not just rhetoric.

Over the next few days and weeks, we are going to hear a number of Members coming down here talking about this issue and about the drug issue as a whole as we develop packages, as we try to work with the administration and drug czar, General McCaffrey, to try to solve this problem. I am looking forward to seeing if we continue to make progress.

EVEN THOUGH ECONOMY IS GOOD, WORKERS IN OIL PATCH ARE STILL LOSING JOBS

The SPEAKER pro tempore (Mr. HAYES). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, before I start, I would first like to associate a few words with the legislation, H.R. 396, which passed today that would honor our former colleague Ron Dellums by naming a Federal building after him in Oakland, California.

Let me indicate my great appreciation and respect for the dedication and service of Ron Dellums. I can think of no better tribute to him than the naming of a building in his beloved Oakland after him. I salute the legislation and support it.

Mr. Speaker, I have another topic that I would like to raise today, and I believe that there is much that we need to do on this issue. Although we look now at a budget surplus and are probably in the best economy that we have had along with its longevity of a number of years, we still have concerns.

What does the number 50,000 make you think of? For myself, it signifies the number of jobs lost in Texas because of the harsh realities of our modern economy and the energy crisis. But there has to be hope for those workers in the oil patch.

That is why I convened with top administration and congressional officials at the White House last month a meeting to discuss how we could better address the needs of energy workers who lose their jobs in mass layoffs.

When the Secretary of Labor Alexis Herman and White House Chief of Staff John Podesta expressed their concern about their circumstances, I felt that we could work together to improve the question of job loss in communities throughout this Nation, Boeing, for example, and the State of Washington.

With that cooperation in mind, we have already been able to get part of the work done. In the State of the Union Address, President Clinton stressed that he would promote programs that would bring relief to communities that are struggling with mass layoffs.

The real question is, do we have the information down at the local level? This would include job retraining and rapid response teams that help workers and employers in times of crisis. I have found that we really need to get this information not only to the employers but to the workers.

The President followed up on that commitment by pledging \$1.6 billion for training for displaced workers and \$65 million to help those workers find new jobs in the budget for the next fiscal year.

It is unique in the oil patch because we would like not to lose these workers while they have been laid off because we do believe in the supporting of a domestic oil policy.

I also plan to introduce a piece of legislation called the Job Protection Initiative Act in the coming weeks that will bring much needed structured assistance to the energy industry which has been hit by spontaneous negative market activity.

My initiative will trigger faster governmental response to mass layoffs and will encourage employers to use Federal and State resources that are available to them already by requiring that the Secretary of Labor establish an office to monitor job layoffs across the United States, authorizing \$500 million to be used to help private companies establish lifelong learning programs for their employees, and give the Secretary of Labor the authority to officially recognize those businesses that cooperate with the government to minimize the damage that their layoffs cause.

Although the support of many of our Members of Congress will be needed in order to pass this initiative, I expect that all Members will be able to relate to times when industries that reside in their districts struggled in similar crises and support these efforts.

As one of the representatives of those who work in the energy arena, the oil and gas arena, I realized that it is difficult to be a victim of a certain industry's downfall in these good times. Someone needs to listen, and so we must listen to those voices of individuals who support their family who are now being laid off because of the down trend in the energy industry and of course the low cost of oil per barrel.

This helps the consumer, and we want to continue to help the consumer, but we also need to help our workers. I hope that my colleagues in Congress will see the benefit of also paying attention to those individuals who suffer layoffs even in this good economy.

I would expect my legislation to be offered in the next couple of weeks. Mr. Speaker, I ask for your support and all of my colleagues so that we can respond to the working men and women of America who keep the engine of this economy going when they most need us in their time of need.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RENEW COMMITMENT TO BRING FREEDOM AND DEMOCRACY TO ENSLAVED PEOPLE IN CUBA

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, tomorrow we commemorate 3 years since the Castro dictatorship indiscriminately killed four young men, three of them American citizens, when two Cuban MIGs shot down their aircraft over international waters while they were on a humanitarian mission.

Three years after the cold blooded murder of Pablo Morales, Carlos Costa, Armando Alejandro, and Mario de la Pena, the Castro dictatorship continues its brutal reign of terror over the Cuban people, and in fact it has intensified this attack.

Just last week, the rubber stamp Cuban National Assembly approved a new law that punishes with 15 years in prison or more anyone on the island who promotes information that the totalitarian regime considers to be counter-revolutionary.

This measure outlaws "the supply, search or gathering of information" and bans "the collaboration directly or through third parties, with radio and television stations, newspapers, magazines, and other mass media" that do not follow the lines of the Castro regime.

The new law is aimed at silencing the increasing number of dissidents, of independent journalists, and of human rights activists who are fighting day in and day out for freedom and democracy in my native homeland of Cuba.

These activists are a main source of information to the international community on the human rights violations that occur in Cuba. They literally put their lives on the line to let the world know of the repression imposed on the Cuban people. Because of their effectiveness, the regime has initiated an all out crackdown against them.

According to the International Press Institute, "Cuban authorities routinely threaten, arrest and jail journalists, often attempting to persuade them to leave the country."

One persecuted independent journalist, Juan Tellez Rodriguez, recently said of the Castro regime that "The government in Havana continues to close itself off to the world, it is deaf to the cries of the international community and it insists on its closed, oppressive political system." He continues saying "It does not even open to its own people, who suffer and die slowly."

Castro himself has made it clear that he has no intention of implementing any type of democratic reform in Cuba.

Earlier this year, the Cuban tyrant reiterated his commitment to socialism or death and claimed "I still speak the same, dress the same and think the same." Oh, yes, we know this.

The last few weeks have been particularly busy for Castro and his thugs. For example, on January 5, pro human rights activist, Ernesto Colas Garcia, was detained, threatened, and beaten by Castro's thugs when returning home from a human rights organization meeting.

On January 14, five dissidents, among them, Rolando Munoz Yyobre and Ofelia Nardo, were detained while on their way to attend a peaceful march in honor of Martin Luther King, Jr.

On January 20, Cuban independent journalist, Jesus Diaz Hernandez, was sentenced to 4 years in jail for dangerous social behavior for his reporting of human rights abuses. Sadly, under the new law imposed by the dictator, the next independent journalist like Jesus Diaz Hernandez will not be sentenced to 4 years but rather at least 15 years in prison.

Just this morning, The Miami Herald reports that Dr. Oscar Eliaz Biscet, of the Lawton Foundation for Human Rights, a leading dissident group on the island, was arrested after participating in an event to commemorate the third anniversary of the regime's massacre of the Brothers to the Rescue pilots. Dr. Biscet had been previously detained and arrested for pro-democracy activities.

Mr. Speaker, the Clinton administration should wake up and take notice before it continues weakening U.S. policy toward Castro, because the dictator has no intention of loosening up his grip on power. Flirting with the dictator through easing of sanctions will not work. And certainly no baseball game or rock musical concert will bring freedom to Cuba either.

The United States should not reward Castro for his repression. Doing so would be unconscionable.

Let us remember the four brave young men who were killed by Castro's thugs just 3 years ago, Pablo Morales, Carlos Costa, Armando Alejandro, and Mario de la Pena. In their names and in the names of so many others who are victims of Castro oppression, let us renew our commitment to help bring freedom and democracy to the enslaved people of Cuba.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HMO REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Washington (Mr. BAIRD) is recognized for 60 minutes as the designee of the minority leader.

Mr. BAIRD. Mr. Speaker, I rise today along with many Members of my fellow freshman Democrats to address an issue that is central for the citizens of our country and to our State.

As many of us have just finished long campaigns, we are firsthand in touch with the needs of the people of this country, and one of those crying needs is clearly the need for HMO reform.

We are here today to talk about that issue and to talk about what we can do

to solve this critical problem. The distinguished colleagues who have joined me today will talk about their perspective from firsthand experience with their constituents with people needing health care who have been prevented from getting the health care they need unfortunately by the current status quo. I would like to thank my colleagues in advance for their remarks.

Several years ago, the health care industry launched a massive advertising campaign. There was a couple named Harry and Louise who threatened us that the sky was going to fall if the President's health care plan passed. Without commenting on the merits of that particular plan, I can comment on what Harry and Louise said.

Harry and Louise said that, if we followed the President's plan, disaster would strike in the following way: people would lose their right to choose their own health care provider, they would have to wait for needed health care, that bureaucrats would make their health care decisions for them instead of their doctors.

I am sorry to say that Harry and Louise were exactly right about what would happen, but the cause was the people who sponsored the Harry and Louise ads to begin with.

The health insurance industry led consumers to believe they would have fewer choices of providers, that the type of care they receive would be decided by government bureaucrats and not their doctors.

But it is the health insurance industry that profits while people are sick that has been responsible for limiting one's choice of doctors, that has been responsible for impeding the care health care providers would wish to provide that has caused long waits and unfortunately has deprived American people of the health care they deserve and have come to expect.

But I am pleased to say that we now have an opportunity to correct many of those wrongs. With House bill 358, the Patients' Bill of Rights, this measure promotes common sense reforms, reforms that each and every consumer can understand and appreciate.

Under this bill, the Patients' Bill of Rights, patients will be allowed to make medical decisions with their doctors without the interference from insurance company bureaucracies and accountants. Let me say again because it has to be underscored, patients and their doctors will make health care decisions under this bill, not insurance company executives and their accountants.

As I travel through my district of southwest Washington, let me tell you that this is one of the things I hear most often.

□ 1630

The other thing I hear is that people want to choose their provider. They want to decide which physician they will be able to see or which nurse practitioner or clinical psychologist. The

patient should have that right, and under this bill, H.R. 358, the patient will have that right.

This measure also guarantees the patient the right to emergency treatment. The last challenge a patient should face, if they are facing an emergency medical decision, should be worrying about whether their insurance company will approve the procedure. And yet we have countless stories of precisely that happening.

In rural areas this is particularly important, where patients may not be able to travel long distances to meet with the approved provider and they want to see the provider they have come to know and trust with their family over the years.

So, Mr. Speaker, I urge this body, when the bill comes before us, to pass this important Patients' Bill of Rights. It is common sense, it is the right thing to do, and it is in the best tradition of American values of choice and respect for autonomy.

With those initial comments, Mr. Speaker, I would like to yield to my good friend, the gentlewoman from Wisconsin (Ms. TAMMY BALDWIN).

Ms. BALDWIN. Mr. Speaker, families in Wisconsin are anxious about the state of health care in this country. They are increasingly concerned that medical decisions are being made by accountants, managers and other insurance company employees instead of doctors and patients. Too often profit takes priority over patient need. Patients are losing faith that they can count on their health insurance plans to provide the care that they were promised when they enrolled and faithfully paid their premiums.

I have heard from many of my constituents in Wisconsin on this issue. They do not want to see doctors spending hours filling out regulatory or administrative paperwork. They want them seeing patients. They do not want to pay for a layer of bureaucracy whose sole purpose it is to deny or reject payment for care already provided. They want their dollars paying for providing health care.

We do not want decisions on how to treat a sick child to be based on profit. We want them based on sound medicine. I do not want the issue of whether my 92 year-old grandmother gets needed physical therapy at her nursing home to be based on profit. I want it based on sound medicine. We do not want the decision of which hospital accepts an emergency patient to be based on that patient's wealth. We want it based on sound medicine. We want doctors and nurses and other health professionals making those decisions based on their training and their commitment to saving lives, healing wounds, and treating illnesses.

It is time for Congress and the health care industry to get their priorities straight. The Patients' Bill of Rights can head us in the right direction. For the millions of Americans who rely on health insurance to protect them and

their loved ones when serious illness strikes, the Patients' Bill of Rights could be a matter of life and death. The Patients' Bill of Rights is a guarantee that medical decisions will be made by doctors and patients, not managed care accountants.

All too often people who pay their premiums for years are denied care when they become seriously ill. Health plans should not be allowed to place arbitrary limits on covered services.

We have all heard painful stories from our constituents who were denied care or services by managed care providers. I was deeply disturbed when I heard the account of one Wisconsin man in a hospital recovering from a serious operation. He received a telephone call in his hospital room from a representative of his HMO telling him that if he stayed in the hospital past midnight the insurance would not cover it. This gentleman had just gotten out of intensive care, and it was all he could do to reach for the telephone to take the call.

How frightening an experience like that must be. This man filed a complaint with the State insurance regulator, accusing his HMO of playing doctor, but little was done. It is no wonder so many people feel anxious about their health care these days.

Having a recourse when something goes wrong is vital. Unfortunately, ERISA preempts individuals in employer-sponsored plans from holding health plans legally accountable for decisions to limit care that ultimately cause harm. Health plans should not be allowed to escape responsibility for their actions when their decisions kill or injure patients. In our new managed care environment we have to do a better job of focusing on patients and not the bottom line.

Six years ago we all in this country hoped for reform that would guarantee every American the health care they needed. That vision was never realized. In this time of economic prosperity, in this time of rapidly changing medicine, in this time of political opportunity it is time that we renew our commitment to health security for all. Many are still afraid to take on that task.

The Patients' Bill of Rights is an important first step in protecting people who already have health insurance. No one should fear that their insurance company will abandon them when they need it the most. This reform is an important step in renewing our commitment to health care security for everyone.

I urge my colleagues to support the Patients' Bill of Rights and I urge the leadership of this House to place a priority on real managed care reform that puts patients and doctors ahead of insurance company bureaucrats.

Mr. BAIRD. Mr. Speaker, I thank my colleague for those very poignant and accurate comments. I think she summarized remarkably well the situations we face today and the needed remedies.

Next I would like to yield to my good friend and colleague, the gentleman

from the State of Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman for yielding to me. I rise today to address an issue of critical importance to the people of this country and the 13th District of Pennsylvania.

Mr. Speaker, it is time to change the way HMOs do business in this country. Health care quality is suffering because HMOs continue to seek to drive the cost of health care lower and lower. They have succeeded in cutting the cost of health care, but the pendulum has swung too far and we have to take action to protect the health of the American people.

When I go home to my district I hear the growing chorus of complaints. It is increasingly difficult for patients to get to see necessary specialists. Patients are being forced to leave hospitals only hours after having complex procedures performed. Prescription drug policies seem to change like the weather. Plan provider networks are small, spotty and too restrictive. Little or no coverage is offered for clinical trials and experimental benefits.

Last week in my district the League of Women Voters held a town meeting to discuss Medicare, but it turned into a session complaining about HMOs. The local newspaper, *The Intelligencer-Record*, covered the meeting the next day with a headline that says "Crowd Tells of Health Care Horror Stories". At the meeting Dr. Peter Lantos, of Erdenheim, Pennsylvania, described how he needed prostate surgery. His HMO was unwilling to provide any list of surgeons, making it very difficult for him to make an intelligent choice. He was also told he had to go to a specific hospital, not the one he preferred.

Now, Dr. Lantos fought the system. He fought it and he won. But he should not have had to fight, and he certainly lost critical time. And Dr. Lantos is a professional; a physician. He knows how to fight the system. What about average Americans? What kinds of protection do they have?

Something surely must be done, Mr. Speaker, for the children who are denied access to pediatric specialists; for the women who want to designate an obstetrician or gynecologist as their primary care provider; for all those suffering from cancer or serious heart disease who want to designate their oncologist or their cardiologist as their primary care provider; for all of those people and others who have been victims, not beneficiaries, of a managed care system that has lost its way. We must find an answer.

Yes, we must continue to control costs, but we must achieve four critical reforms.

First, we have to make sure that medical decisions are made by medical professionals, not by insurance company bureaucrats and accountants.

Secondly, we have to lift the gag rule that is placed on doctors by many insurance plans that prohibit those doctors from describing the full treatment options that their patients have.

Thirdly, we have to make sure that patients have the fullest possible choice of plans and providers.

And, lastly, we have to make sure that HMOs are held accountable. And, as a last resort, that means giving patients the right to sue their HMOs if an arbitrary coverage denial leads to a bad medical consequence.

Those are the steps we have to take. We have to make sure that we provide for good medical care for Americans, and the answer certainly is passage of the Patients' Bill of Rights. It is a bipartisan bill. It has broad appeal. We must answer the call of the American people and pass this legislation.

Mr. Speaker, I am providing for insertion into the RECORD the article I referred to earlier from the *Doylestown Intelligencer-Record*.

CROWD TELLS OF HEALTH CARE HORROR STORIES

(By Stephen Brady)

It's frightening to think that a doctor in this day and age would have to see 20 patients an hour to make ends meet. And how could this kind of schedule reasonably be called "care"?

Dr. Peter Lantos of Erdenheim told this story about a doctor friend. Lantos spoke during a public dialogue on the future of Medicare, held last week at Jenkintown Borough Hall and sponsored by the League of Women Voters of Abington-Cheltenham-Jenkintown.

It was just this sort of horror story that motivated Rochelle Sonnenfeld of Rydal, the league's chairwoman, to organize the meeting.

"This is a nationwide project. We want to inform the public about Medicare. We want to get legislation passed that is worthwhile. This is a very important issue to millions of people," Sonnenfeld said.

While Medicare was the announced subject, many in the audience vented about health insurance, especially managed-care providers, or health maintenance organizations.

Lantos told his own personal horror story. "I needed prostate surgery. The surgeon that was recommended by my HMO had a poor reputation, and they still wanted me to use him. I found out they don't give out lists of good surgeons. I had to go through several layers of management."

Dr. Todd Sagin, a family medicine and health-care policy specialist, was the quest speaker at the dialogue. He described Medicare, its history and development and explained why there is a crisis and what solutions may lie ahead.

"The Medicare program hasn't changed in close to 35 years. By today's standards, it's an inadequate packet," Sagin said, adding "Medicare is financed by employee payroll taxes, and it's going bankrupt."

Sagin explained why hospital bills may seem inordinately high and outlined the bills' hidden costs.

"Medicare only pays a certain percentage of the costs of a hospital stay. You have the high charges on hospital bills because the doctor is getting a percentage, and the hospital has to pay its own bills. They have to charge more so all their costs are covered."

In the matter of managed care, he tried to make sense of the maze of contradictions that exist in the field.

"The crux of the matter is who decides what is medically necessary. Medical necessity is in the eye of the beholder," he said, adding, "Most of us want the best technology, the best medical care, and we want

access to that care with the least amount of red tape. And we want it at a low cost."

People who can least afford the medical bills are not the only ones being hurt. "Our government is being hurt by the high cost of care. We are paying 15 cents on the dollar."

"The companies we work for have to pay the cost, and it will eventually weaken them in the business world."

Elise Stern of Cheltenham had heard of another horror story. A woman in her 80s was sent home just two days after having a double mastectomy. "The health-care system should not be for-profit; it should be a social service," she said.

She also felt that the taxpayers' money could be spent more wisely. "We are taking money away from the patients and giving it to the stockholders."

Sagin agreed with her view. "What degree should Wall Street have in making decisions on health care?"

Lantos agreed, adding, "I was told I had the choice of one hospital for my operation. I told the HMO I wanted to go elsewhere and was told, 'No, you can't.' I got treatment, but I had to fight for it. You shouldn't have to fight for good care."

Mr. BAIRD. If I might, Mr. Speaker, I know the gentleman from Pennsylvania has shared with me a personal story about a patient who faced some of the challenges he just described, and why that is important is behind the legislation are real world real lives of people who hurt and suffer every day because of the lack of this needed legislation. Could the gentleman take a few moments and relate that story to us?

Mr. HOEFFEL. I would be delighted to. It is a sad story. I met with a woman from my district last year who reported to me that her husband had become very ill the year before with a head injury. He received care under his managed care plan. His primary care doctor wanted, once he was sent home from the hospital, to give him a very intensive course of therapy and the HMO would not pay for it, or would not authorize it. The family fought, the doctor fought, and they could not get approval. They gave him a lower level of therapy, not what the doctor ordered.

Unfortunately, the husband died, and the wife wanted to hold that HMO accountable. She believes that the failure to authorize the more intensive level of therapy led to her husband's death. Now, I do not know if that is true. She does not know. But she wanted to test that. She wanted to hold that health care plan accountable for what she thought was an arbitrary decision, and the law does not allow her to do that today.

Part of what the Patients' Bill of Rights would do is to make sure that people can go to court, if they have to, as a last resort, to hold their plans accountable. This bill would do it, and we ought to pass it.

Mr. BAIRD. Mr. Speaker, I thank the gentleman very much and appreciate those great remarks.

Mr. Speaker, I would like next to yield to my good friend, the gentleman from Colorado (Mr. MARK UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman from the State of Washington for yielding to me.

Mr. Speaker, at one time or another all Americans are faced with making tough choices about medical care for themselves and for their families. At those times, the last thing anyone wants to think about is whether their health plan will be there for them. They should know that access to vital services and information is guaranteed to them.

Here is what is needed, I believe, to make sure that is in fact what we have in our medical care system.

Patients should know that if they have an emergency they can go to the nearest emergency room without worrying if their plan will cover it. No one with a serious emergency should have to call an 800 number for permission to seek the emergency care that is needed.

Patients also need access to clear and complete medical information. The reason for that is that informed decisions about health care options can only be made by patients who have full access to information about the options available to them. As a part of this, physicians should be able to advise patients of their options without restrictions from their health plan. Health care providers should know that they can give accurate medical advice without fear of retaliation by the health plan that is in order at that time.

Patients need to know they can appeal plan decisions of denial or delay of care when a doctor feels that the care prescribed is medically necessary.

□ 1645

Plans must put into place an internal review process to address these concerns. But if that process fails, patients need to know that internal decisions may be appealed to an independent third party. They must have the ability to bring their grievances to a panel free of the health plan's influence.

All patients also need to know that their medical plan has an adequate network of specialists available who can provide high quality care for those patients who need specialized treatments and, if necessary, patients need to have the right to seek specialists outside of their network.

Mr. Speaker, our health care system is not as good as it should be and Americans need to know that this is not as good as it gets. The Patients' Bill of Rights is an important step in the right direction toward making these needed improvements and helping ensure that all Americans have access to quality health care.

For those reasons, I am pleased to be a cosponsor of this important legislation. The Patients' Bill of Rights will put medical decisions back into the hands of doctors and patients, taking it out of the hands of the accountants and bureaucrats.

Mr. BAIRD. Mr. Speaker, I might like to follow up if I might once again.

I am sure that we can fill this room with people telling their stories, but

they are important stories to hear. I know that my colleague also has talked to one of his constituents who shared with him the frustrations they felt under the current system, and I wondered if he might expand on that.

Mr. UDALL of Colorado. Mr. Speaker, I have a constituent who was in the middle of chemotherapy for her breast cancer. Of course, this was a life-threatening situation. She was informed by her oncologist halfway through her chemotherapy treatment that she had to find another oncologist.

Now, my colleagues can imagine the kind of turmoil and stress that that added to her situation where she was literally battling for her life. Now, she fought back hard and was able to get that care but only after a great deal of time had passed.

My point in all of this is the Patients' Bill of Rights would make this a lot less likely to happen to the people who surround us in our communities, our families, our fellow citizens and our friends. I think it is important to remember the Patients' Bill of Rights is about people, it is not about regulations. It is about people. It is about providing the best possible health care for all Americans.

Again, I would remind all of the Members here that the Patients' Bill of Rights is about putting those medical decisions back into the hands of patients and doctors and not allowing those decisions to be made by somebody who is maybe sitting 2,000 miles away in front of a television or computer screen.

I urge adoption. This is a very, very important piece of legislation.

Mr. BAIRD. Mr. Speaker, that element of the deeply personal relationship between a patient and his or her health care provider cannot be underscored too greatly. It is not that we are dealing with interchangeable parts of some machine, unfeeling beings. We are dealing with human beings who build a relationship of trust and respect and confidence and, most importantly, of caring with their health care provider. We have lost that under current HMO practices, and this bill will go a long way toward restoring that relationship.

Next, Mr. Speaker, I would like to recognize my friend and colleague, the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding to me.

One of the real reasons that I wanted to come to this body as an elected Member of the House of Representatives and why I ran for office in my State legislature years ago is because I want to be able to provide accessible, affordable health care to people in my own family and to families around the State of Illinois and in this Nation.

It is really a disgrace that in this country 44 million Americans have no health insurance at all. But even those

that are insured, and that is what we are talking about today, cannot be certain that they are going to receive quality health care when they need it.

What we need to know, and everyone has said it, my colleagues have said it, is that patients will get the health care they need based on medical decisions and not on arbitrary rules set by bureaucrats that are part of insurance companies or HMOs. That is why I am so proud to be a cosponsor of H.R. 358, the Patients' Bill of Rights, which is sponsored by the gentleman from Michigan (Mr. DINGELL).

This bill, which failed by only five votes in the last Congress, would establish critical protections for patients and medical practitioners; and it adopts the recommendations that were made by the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry.

As a former State legislator, I sat on the Health Care Committee, and one day Ann Vaughn came to our committee to give testimony. Ann is a resident of the Springfield area in Illinois and came to tell us about what her experience was when she had a mastectomy. She said that it was really scary for herself and her family when she got that diagnosis. And my colleagues can imagine going to the hospital for the surgery.

She said, but what was really unbelievable to her was when she woke up in the recovery room she was told that she would have to go home that day. An outpatient mastectomy, we are not talking about a lumpectomy, we are talking about a full mastectomy, tubes, grogginess from the anesthetic, that she was going to have to go home, that her HMO was not going to cover the overnight stay.

Well, my colleagues can imagine, the members of the committee were outraged and decided we absolutely had to do something. So we did pass legislation that would say that doctors will decide how long someone stays in the hospital after a mastectomy, no discussion, no debate. It is not going to be whether the HMO says they are not going to cover it.

Well, this is good. We got that bill passed. But at the time I said, look, we cannot go body part by body part. We have to have a comprehensive approach and get to the heart of who is going to make those medical decisions.

Well, there is a lot of talk now about Patients' Bill of Rights, and everybody is for it. I really have not found anybody who is against it. But it is going to be very important as we get down to the nitty-gritty to look at what is in the legislation that is really going to guarantee that patients and doctors are going to be in the driver's seat.

What I really like about H.R. 358 is three provisions that I want to focus on. The first is the whistle-blower provision. That is, protection for health care workers who see some kind of danger for patients in this medical setting.

Recent surveys have reported alarming percentages of health care workers

who believe that patient safety is in jeopardy. For example, a survey at a large Columbia HGA hospital found that 60 percent of workers reported dangerous delays in nursing response time relating to understaffing; 44 percent reported medication errors; and 37 percent reported lapses in infection control. However, only 13 percent were confident that they could honestly answer an inspector's question about the quality of care without risking reprisals, without, in quotes, risking reprisals. That is what they are afraid of.

A Peter Hart poll found that one out of every four health care professionals was afraid to speak out on the job even to superiors. Now, think about it. If my colleagues or their family member goes to a hospital, wouldn't they want their nurse or doctor to be able to raise quality problems? Wouldn't they like to know that those professionals who are on the front line every day, whose job it is to take care of them, have the ability to improve whatever health or safety problems that they see, that they are not going to be afraid to report it because they are afraid that they are going to be fired?

So protection for whistle-blowers, for people who want to raise legitimate concerns has to be in the legislation. It is in this bill.

Second is the question of their right to sue an HMO. Over 85 percent of those of us with private insurance are in some kind of managed care, where HMOs and insurance companies have the ability to deny, to limit or to terminate medical care in addition to denying payment. They have the ability to override medical decisions of medical professionals even though they have never laid eyes on the patient. And when they do so, they are exempt from accountability for their actions.

Now, again, we dealt with this issue in Illinois. And we had representatives of the HMO industry, and they sat before us in committee and they said, no, we do not make care decisions; we only make coverage decisions.

Well, I said, "Fellows, in the real world there is no difference here. If you are not going to pay for the care that I need, I cannot get the care that I need. I am not going to be able to afford to go out and buy it by myself. And so, if you said, I will not pay for it, that is as good as saying I am not going to allow you to have it." That is a medical decision.

We heard a story from an emergency physician who was telling us about a patient who had come in with symptoms, he thought, of a heart attack, pain in the chest, some pain in the arm. Went to the emergency room. Lo and behold, they found it was not a heart attack. It was some kind of gastric distress. Home he went. The insurance company said, we are not going to pay for that; it was not a real emergency.

Well, this emergency physician was telling us, the next time this patient had the same symptoms, he said, heck,

no, I am not going to be able to go to the emergency room because I am not going to get it paid for. This person had a heart attack, and this person is dead.

Well, come on, this is a care decision that is made by the HMO. If something goes wrong, we should have the ability to sue.

And, finally, we have to address the question of what we call medical necessity. Who decides what is a medical necessity? Is it going to be a doctor or is it going to be an HMO, a person who has never met them, and yet the person who is going to determine how they can stay in the hospital, whether a service is provided on an inpatient or outpatient basis, if home care will be available, what prescription drugs they get, whether they get a lab test or follow-up visit, and other key decisions.

Do they want someone who is hundreds of miles away from them, who does not know them, who may not be a qualified physician to be making decisions about their care? The answer is obvious. Medical necessity needs to be decided not by HMO bureaucrats but that they should be made based on generally accepted principles of good professional medical practice.

This bill says the health plan should not be allowed to place arbitrary limits on covered services. It says that doctors should be able to prescribe the drugs that their patients need. It gives patients the assurance that their doctors will not be helpless bystanders as a bureaucrat goes ahead and makes all the decisions.

So those are the three things that I would like to see that really are in H.R. 358. That is whistle-blower protections, HMO accountability, the right to sue, and medical decision-making by medical professionals.

Mr. BAIRD. Mr. Speaker, I want to thank my colleague particularly for raising some issues that we had not addressed before and also for raising the important point about how much it costs us in our efforts to constrain costs when people are forced to go home from the hospital, where they do not get the care they need, they develop infections and then are forced to come back, or when medication regimens are cut off in the middle of someone's prescribed treatment regimen and they worsen in their illness.

When physicians or other health care providers are forced to spend their days on the phone begging for the treatment that they know their patient needs, that costs. When hospitals are understaffed and when the staff that is there it is not at the level of professional training, that costs.

When everybody talks about, those on the other side, on the Patients' Bill of Rights against it, they say it might raise costs. We need to counter, there are costs associated with the status quo and those costs are the cost in people's lives, the cost in the quality of care. The reason people oppose this is because the costs are borne by the pro-

viders and by the public while the profits are privatized. That is the problem with it.

Ms. SCHAKOWSKY. Mr. Speaker, if the gentleman will continue to yield, that is absolutely right. And my colleague is talking about dollars and cents cost, and I think we have to have a much broader view on how we calculate that.

My colleague also talks about the human cost. My father lived with me for 6 years before he died and was part of an HMO, and I cannot tell my colleagues the hours that I spent on the phone, the letters that I wrote, and I was writing as a State representative so it presumably was even easier for me, just trying to get him the care that he needed, getting them to cover what I thought that he needed that they eventually did and that anyone with common sense would see needed to be covered.

□ 1700

What if I was not there to advocate for him? How much shorter would his life have been? How much more difficult would his life have been? These all have to be part of our larger calculation.

Mr. BAIRD. I thank the gentlewoman very much for raising those issues.

Mr. Speaker, I yield to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I am here because I am very concerned specifically on this issue of the Patients' Bill of Rights bill that is going to be coming before us. My constituency is a working-class constituency. I have been in that particular area for over 40 years, so I know that the people that I represent are people who have generally some coverage, not all of them have coverage, and it has become a great issue for all of the people that I represent. That includes some of my businesses, because they have no choice in some areas.

The gentlewoman from Illinois (Ms. SCHAKOWSKY) talked about some of the things that she would like to see included in the bill. I agree. The whistle-blowers is a very inherent part, an oversight, if you will, directly by either the providers or the people who see the abuse or are able to articulate where we need to make a change or how we can address it to make it better to provide the protection for the patients. The accountability has sort of been overshadowed in the growth of the HMOs.

Consider some of the facts that we are now looking at currently and that is that HMOs have witnessed considerable growth through the 1990s. By 1996, 60 to 70 million people were enrolled in HMOs. That is about 20 percent of the U.S. population or, put another way, it is one of five Americans.

HMOs started off in my era back 30 some odd years ago to be a good thing, and I belonged to one of them for over 35 years. They have made the medical

profession a must-do. And I will not name it, but they have been very receptive to the needs of my family and to other people around us, but there are very few who put the patients' needs ahead of profits.

Now, another statistic. The for-profit HMOs enroll 60 percent of all HMOs. That means the other 40 percent are the HMOs who are doing it because they want to provide a service for their community, and they much of the time are being bought out by the for-profit HMOs. So that means that my area alone I am seeing a lot of change and a lot of the closure to some of the access for some of my working-class folks.

Another statistic. Two-thirds of the persons under 65 are covered by employer-sponsored insurance. Of these two-thirds under 65, 73 percent are HMOs. That means most big companies or most employers are using HMOs. That means they have captured most of the constituency that has to have insurance.

Another statistic. A number of States have enacted various laws that regulate the practices to a varying extent. California was one of them, and specifically because of the outcry of the general populace of the need of reform in that particular area. They did not go far enough, as far as some of us were concerned, but at least it was a start to be able to bring some sanity to the addressing of the HMO's heavy-handed efforts to limit the amount and number of visits, the services of people who are in need of some very, very critical coverage.

Another statistic. There has been little national legislation to regulate HMOs and ensure that patients receive quality care. Now, we know that is a fact because even the press brings that out, that some of the HMOs are making exceedingly high profits. That is one of the areas that certainly they are entitled to make a profit but not at the expense of human life which as we have heard some of my colleagues point to that fact.

In 1998, Democrats fought for the enactment of the Patients' Bill of Rights that would have ensured medical decisions are made by doctors and patients and not by the insurance company bureaucrats, a person who has no credibility in the medical world to be able to determine whether or not that patient should have that coverage or that care.

It would have also ensured direct access to specialists. Now, we might say, well, that is up to the HMO to determine, but where are the bureaucrats' credentials to say that they can determine what kind of service or what special service they need so that they would deny that to them?

It would also have ensured the continuity of care. I have just recently had a doctor tell me that he is leaving an HMO because the HMO has placed caps on the number of visits that he is allowed to see his patients. He refuses, because of this, the Hippocratic oath

that he took, to not render care where it is needed, so he is going into private practice. That tells me something, what has happened to some of the HMOs that we are dealing with.

My Republican colleagues blocked those efforts in 1998. Hopefully, we will be able to ensure joint work together, our New Member Caucus and some of the other persons who are interested, because the Republican legislation does not ensure that we put medical decisions in the hands of the doctors and the patients. We want to put it in the hands of those doctors and patients, not in the bureaucrats. And we want to ensure that that weak legislation which did not ensure the direct access to specialists is changed so that anybody who has a requirement, a medical requirement, and medical need does get assurance that they will be referred to the specialist necessary.

And also that legislation that was passed did not give the patients the right to sue HMOs liable for making decisions leading to serious injury and/or death. To me, if my family member were affected, I would certainly want to hold the right to be able to sue an HMO if they did not do their best to take care of my family member or my friend or my colleague. I think all of us feel that way.

There is still a pressing and dire need for a meaningful Patients' Bill of Rights so that, for example, in emergencies, patients can go to the nearest emergency room and that the HMOs who feel that the emergency rooms do not pay off and close them, especially to urgent care, that we are able to have at least geographically accessible emergency rooms so that we can take care of that need.

We also would like to see in that Patients' Bill of Rights we will include that the patients are guaranteed continuity of care. When their employer switches plans or when their doctors are dropped or resign from that network, the need for that care does not go away. I think it is incumbent upon us to realize that more and more we are going to be faced with individuals in our own backyard who are going to come to us and request that we extend that.

It also should include that the patients can be part of approved clinical trials if no other treatment is available.

Mr. Speaker, our constituents await our leadership to ensure that all their needs are addressed in this 106th Congress. I plead that we need to work together and not let our American working class down.

Mr. BAIRD. I thank the gentlewoman very much. She raised two points that I think were absolutely critical.

First, and I commend her for it, distinguishing between the for-profit versus the not-for-profit HMOs. In our State, some of the pioneers of health maintenance organizations were not-for-profit organizations, voluntary co-operatives that have in fact volun-

tarily adopted many of the standards we are fighting to enact now through law, but they saw the need to do the right thing, to voluntarily allow patients to choose their providers, to create an appeal structure, and they have done the right thing. So I really think we need to emphasize that distinction between the for-profit and the not-for-profit.

The other thing I want to compliment you on is the observation of the toll this system takes on health care providers. The gentleman you spoke about, have you talked to any others who raised these kinds of issues, other providers who said the stress of the HMO, dealing with those is burning them out, so to speak?

Mrs. NAPOLITANO. Yes, very much so. As a matter of fact, recently one constituent told me, and he was a doctor, that they have been told that they must have something like 15 patient visits a day at 15, 20 minutes apiece. You really cannot provide the kind of care, especially in the specialist area like a heart doctor. To me it just indicates that these people are being put under pressure to move on to the next customer. It is like it is an assembly line.

We cannot treat human beings that way. We need to ensure that those doctors and those plans that are not for profit, that we provide them with the assistance that is necessary to be able to render a service and increase their ability to do it at a local level where there is no HMO, even a for-profit. Unfortunately, that is not happening. I think a lot of people are being disheartened.

Mr. BAIRD. I thank the gentlewoman very much for her comments.

Mrs. NAPOLITANO. I thank the gentleman for the opportunity.

Mr. BAIRD. Mr. Speaker, I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, it is a delight to address this topic today. The reason is, when I think about the topics we sometimes talk about in this Chamber sometimes they are a bit obtuse, a bit theological, a bit arcane, but this is one that cuts right to the heart of why we come here to serve, because this issue is one of justice for Americans in getting medical treatment.

This is not a matter of how many angels can dance on the head of a pin. It is not a matter of what is good or bad tax policy. It is a matter of whether you will live or whether you will die in the certain circumstances that people face in real life. For that reason, it is time for the U.S. Congress to get off the dime and act on this, to pass a strong Patients' Bill of Rights. It has dithered, it has dallied, it has debated for years and not acted, and it is time for action.

Mr. Speaker, what particularly motivated me on this subject, during this last campaign I met lots of folks but the one that perhaps sticks in my mind

the most is a woman named Katy Slater. Katy is from Issaquah, Washington. I did not know her before the campaign. I happened to meet her on the campaign trail.

She told me her story. It was a story that, unfortunately, has become to maybe not be typical but not atypical. She got breast cancer. She had the trauma that would be associated with breast cancer.

She went to her physician. Her physician told her, this is a serious case; but her physician held out one branch and light of hope for her. That was to have a stem cell transport. They told Katy Slater that if she had a stem cell transport, there was a good chance that she would survive and that if she did not, she would die.

So she did what we would do, Mr. Speaker, in this case. She went to her insurance company to whom she had been paying premiums on a regular, timely basis for 30 years. She told them that the doctors had suggested she have her stem cell transport, and they said no. And she said, this can't be right. I have the physicians who have said I need this. But they said no.

When she asked them, why do you say no when my physicians have said this is medically necessary, there is a medical necessity for this, how can you tell me I can't have this procedure, her insurance company to whom she had been paying premiums for 30 years said, no, ma'am, you don't understand, we make the rules, we decide what is medically necessary.

When Katy Slater needed her transplant, she did not have an appeals tribunal to whom she could go to get a third party to resolve this. She did not have that. She did not have a legal right of recourse against her insurance company. She did not have that. She did not have the Congress of the United States saying to that insurance company that the physicians, the medical community should decide what is medically necessary, not the insurance industry. She did not have that. And she should have had that.

Katy Slater, I will give the happy ending, Mr. Speaker, to this story. She, unlike many Americans, had a retirement plan. She had to cash it in, every single penny she had. She got her stem cell transplant 4 years ago, and she is alive today because of the stem cell transplant that her insurance company refused to provide for her. But, to her credit, she told me to come to this body and try to fight for the next Katy Slaters, the people who are going to have this problem in the future because she cares about them as much as she cared about herself.

We need to pass this bill, Mr. Speaker, to prevent physicians from being gagged by insurance companies. An important provision of this, and the gentleman from Washington may have touched on this already, this antigag provision where insurance companies now can gag physicians to prevent them from telling their patients about

life-saving treatment, that is an abominable practice, that is an absurdly unjust practice, and this body and Chamber ought to say so dramatically, and they ought to say so soon.

And they ought to say it, too, Mr. Speaker, and I will make a particular entreaty. We are new Members. If I can, this ought to be a bipartisan effort, an effort where we work across the aisle together to make sure this gag rule is ended, to make sure that we have physicians decide medical necessity, not the insurance industry.

□ 1715

Mr. Speaker, the reason I say it should be bipartisan is we have just come through this political civil war, and this would be a really good place for us to start on a bipartisan basis to pass a bill that is meaningful to real Americans in their real life. And I would suggest we new Members work across the aisle to do that; and I say that when I address the insurance industry, too.

And I think it is a good point the gentleman from Washington (Mr. BAIRD) raised: Not all insurance companies are guilty of the same sin here. Many, many insurance companies have provided fully adequate and comprehensive and quality care paid for by their insureds, but some have not, and it is for those good insurance companies, those who act in a fair and just way, that this bill will protect so they do not have to compete with the outliers who refuse to respect honesty and decency. This bill protects good insurance companies as well as the insureds.

Mr. Speaker, I hope that we will work together to pass this bill.

Mr. BAIRD. Thank you very much, Congressman INSLEE. You know, I sometimes think we are here in this body for the Katie Slaters of the world.

Mr. INSLEE. She told me to say this piece, and I have.

Mr. BAIRD. I am grateful, and I am sure many other Americans are as well.

Mr. Speaker, next I would like to recognize my colleague from the State of Nevada, Congresswoman BERKLEY.

Ms. BERKLEY. Mr. Speaker, I rise today to tell you a story that explains why I am a passionate supporter of the Patients' Bill of Rights. This story, which is only one of many that I heard during my campaign, illustrates why health care plans must be held accountable if their financial decisions overrule the sound medical decisions of a doctor.

This story is about a constituent who lives in my Las Vegas district. The man is a dialysis patient. He was scheduled for dialysis treatments twice a week, but over time he became toxic in between treatments and was continually sent to the emergency room during treatments. A third session became critical for his very survival.

Rather than dealing with the ordeal of gradually becoming toxic and rushing to the emergency room because two

treatments a week simply were not enough for him, the patient's doctor determined that without a third dialysis treatment the patient would be faced with a life-threatening situation.

But the patient was told by his insurance company that his diagnosis called for only two treatments per week. The patient was basically told: Tough luck, pal. Even though your doctor has diagnosed that there are three dialysis treatments necessary for your survival, we will only cover two of them.

So the doctor called the health plan; he explained the situation. He graphically described how the health of the patient was in serious jeopardy without another dialysis treatment. Over the phone the doctor told a health care plan manager that the quality of the patient's life, in fact the patient's very life itself, was at issue.

The HMO said no to the doctor's request. They said the diagnosis called for only two dialysis treatments and that that could not be changed.

The doctor said, "How can you say that? I am the diagnosing physician. The patient is standing right in front of me. My diagnosis calls for three dialysis treatments a week in order to save this patient's life."

In this case, the doctor prevailed. The patient got the necessary treatment, and the story had a happy ending. But there is a lesson to be learned here. A doctor should never have to argue to be allowed to provide critical care to his patient.

In too many cases the balance has swung too far in favor of the bottom line. It has been said that there is too much emphasis on dollar signs rather than vital signs. I agree. The Patients' Bill of Rights holds health plans accountable legally if they reject sound medical diagnoses and treatment plans in order to boost profits. We owe this fundamental protection to our constituents, and I urge that we pass the Patients' Bill of Rights as soon as possible.

Mr. BAIRD. Thank you very much.

Mr. Speaker, I would like to finally recognize our final speaker for this afternoon, Congressman HOLT from the State of New Jersey.

Mr. HOLT. Mr. Speaker, I thank my colleague from the State of Washington. I am pleased to join today in the fight for passage of the Patients' Bill of Rights.

My colleagues, the gentleladies from Nevada and Illinois and California and the gentleman from Washington have ably presented arguments in favor of this bill. I would like to address one of the fundamental, one of the fundamental features of the issue here, that is, the doctor-patient relationship, something I have observed closely. Few things are more fundamental, Mr. Speaker, more fundamental or more personal, than the relationship between a patient and her or his doctor.

My wife is a physician, and the bond between her and her patients is something important, even sacred. It is a

bond cemented by honesty and time and, importantly, by trust. The doctor-patient relationship is the bedrock of the entire health care system, and it is one of the main reasons that people choose to go into medicine in the first place. That relationship between doctors and their patients is under threat, and all too often in our Nation today, Mr. Speaker, the bond is being jeopardized by HMOs who are more interested in their profit statement than their mission statement.

Mr. Speaker, there are insurance companies that are trying to do a good job and many compassionate people working for those companies, but frankly the focus on profits taken by some HMOs makes you think they have more in common with Neiman Marcus than Marcus Welby.

All of us have heard the stories, all of us here have, all of us on both sides of the aisle, families who worry that an insurance company clerk rather than their doctor will decide what treatment they get, providers who are afraid to tell their patients all of the health care options available to them because some might cost more, doctors who are restricted in what medicines they can prescribe and families who have to go through endless appeals and mountains of paperwork just to get the care they deserve.

Just yesterday my colleague, FRANK PALLONE, and I met with constituents at Centrist State Medical Center in Monmouth County, New Jersey, to discuss this issue. We heard from people, a variety of people involved in health care: doctors, nurses, patients, hospital administrators and consumer advocates, men and women who serve every day on the front lines of health care. They had one message for us here in Washington, Mr. Speaker: Pass a Federal Patients' Bill of Rights, legislation that will ensure that medical decisions are not held hostage to business decisions.

House Speaker HASTERT recently said that he is willing to bring single-issue patients' rights bills to the House floor, bills dealing with issues like gag rules, emergency room standards and direct access to specialists. There is no doubt that these are issues that we need to address, but we cannot, we must not use them as an excuse to avoid tackling comprehensive patients' rights or we should not use them to dodge the important questions, issues of accountability and liability.

As soon as we raise the question of liability, people say, oh, we should not let lawyers run this. Of course we do not want a health care system run by lawsuits, driven by lawsuits, but the question is: Who has the last word on medical decisions? That is what we have to protect.

HMO horror stories are not isolated incidents. They are happening to families every day in my district and in yours, people who work hard and thought they were protected, people who see their loved ones denied the

care they need and are powerless to do anything about it.

We need to act in a bipartisan way to see that insurance companies are held accountable for their decisions, their medical decisions, and that they start to think twice before they deny payment for needed care and, in effect, deny the care. Mr. Speaker, we need to pass the Patients' Bill of Rights now.

Mr. BAIRD. Thank you very much, Congressman. I appreciate those remarks.

Mr. Speaker, I would like to conclude with just a few final comments. I, first of all, want to express my gratitude for my colleagues, particularly the fact that they are from the freshman class. These are folks who have just been on the front lines of often very difficult and challenging campaigns, but in the middle of those campaigns they listened to their constituents, they listened to their needs, and they carried those needs here to this body, and I hope this body will act on those needs.

So I am very proud to serve as president of our freshman class, and I want to thank again my colleagues. I want to also make just a couple of final remarks.

I asked to fill this role today because, in addition to being a Member of Congress, I am a health care provider myself. As a licensed clinical psychologist, I work with cancer patients, with head injury patients, with people dying of a number of terminal illnesses and with patients facing severe depression. I know firsthand the toll it takes on patients and the toll it takes on our providers and on our families and, frankly, on this country as a whole to have the current system.

There is a common saying, and the saying is: If it ain't broke, don't fix it.

Mr. Speaker, I would assert to you and the people we represent would assert to you and to this body that this system is broke and it is incumbent upon us as their elected representatives to fix it. I believe the Patients' Bill of Rights that gives you the right to choose your provider, gives your provider the option, the responsibility to determine your health care needs and that holds HMOs and managed care firms accountable is the solution to this system which is broken.

Thank you very much.

WHOSE MONEY IS IT?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, I rise for a few minutes to talk about some issues I heard about back home during the Presidents' Day recess.

You know, Mr. Speaker, I have the privilege of representing a very, very diverse district. I represent part of the City of Chicago, the south suburbs in Cook and Will Counties, farm communities and a lot of bedroom communities. When a district is so diverse,

you really want to listen and learn the concerns of the people you have the privilege of representing. And I find that even though our district is so diverse, city, suburbs and country, that there is a pretty clear message, and that is that the folks back home want us in this Congress to work together to solve the challenges that we face. And I am pretty proud that this Congress over the last 4 years has responded by doing some things we were told we could not do: balancing the budget for the first time in 28 years, cutting taxes for the middle class for the first time in 16 years, reforming welfare for the first time in a generation and taming the tax collector by reforming the IRS. And those are real accomplishments, real accomplishments that I believe we should all be proud of.

And when I was back home over the last week listening to the folks back home, I asked, what do you want us to do next? And they tell me that they want good schools, they tell me that they want low taxes, they tell me that they want a secure retirement, and I am pleased to say that that is the majority's agenda here in this House of Representatives, to help our schools and put more dollars in the classroom and to give control of our schools back to parents and teachers and locally elected school boards. It is our agenda to lower the tax burden on the middle class because we believe that you can spend your hard-earned dollars better back home than we can for you here in Washington, and we also want to ensure a secure retirement by saving Social Security and rewarding those who save for their own retirement.

But today we face an even bigger challenge probably as part of this whole process as we work on our agenda as both a challenge and it is an opportunity, and that is the balanced budget bonus, the overpayment, the extra tax revenue that came from 4 years of hard work of balancing the budget. Expect that this overpayment of tax revenues is going to total \$2.7 trillion over the next 10 years.

That is a lot of money, and it is extra money, and the debate is what are we going to do with it? Do we spend it? It is burning a hole in Congress' pocket. Or do we give it back to the folks back home?

Now the President said that we should take 62 percent of this surplus revenue and use it to save Social Security, and then he wants to spend the rest on new government programs. A lot of us here in the Congress say that we should agree with the President on that 62 percent and, rather than creating new government programs after we save social security, that we should give the rest back and pay down the national debt thereby lowering the tax burden.

And that is really a fundamental question: Whose money is it to start with?

□ 1730

Whose money is it to start with? We know that. It is the taxpayers. But who can better spend it? Folks back home. That is you. Or is it, of course, Washington? Can Washington spend it better than we can?

Now, we the Republican majority believe that you can spend it better than we can for you and that is really why this is such an important debate this year, because we have to look at the issue of taxes in general.

Some say why is a tax cut so important? Well, if you look at how it affects families back in Illinois, the tax burden today is at its highest level ever in peacetime. In fact, 40 percent of the average Illinois family's income now goes to local, State and Federal government in taxes. The tax-take totals 21 percent of our Gross Domestic Product, and since 1992 the total collection of income taxes from individuals has gone up 63 percent. Clearly, the tax burden is too high.

The question then is, how can we lower the tax burden for the middle class? How can we help middle class families? I believe that we should focus on tax simplification, because is not it time that we bring fairness to the Tax Code? Is not it time to end discrimination in the Tax Code? As we set priorities this year, to help the middle class by simplifying the Tax Code, I believe that we should simplify the Tax Code by ending discrimination against 21 million married working couples who suffer the marriage tax penalty, and really it is a very fundamental question.

Is it right, is it fair, that under our Tax Code, that 21 million married working couples pay on average \$1,400 more in higher taxes just because they are married?

Now in the south suburbs of Chicago, \$1,400 is one year's tuition at Joliet College. It is 3 months of day care at a local day care center. It is 6 months worth of car payments for some of those machinists that visited us today.

I am pleased to announce that 230 Members have joined as cosponsors of the Marriage Tax Elimination Act. Clearly, there is bipartisan support for simplifying the Tax Code and bringing fairness to the Tax Code by eliminating the extra tax on married working couples.

Let us work together. Let us bring fairness. Let us simplify the Tax Code and eliminate the marriage tax penalty this year.

TRIBUTE TO BOB LIVINGSTON, REPRESENTATIVE FROM THE FIRST DISTRICT OF LOUISIANA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Louisiana (Mr. TAUZIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. TAUZIN. Mr. Speaker, I take this special order tonight so that Mem-

bers of the Louisiana delegation and colleagues from across our country can honor the service of a gentleman who will be leaving our body as a Member on the 28th of this month, just a few days from now; that being the gentleman from Louisiana (Mr. LIVINGSTON).

Of course, Louisiana is still literally in shock that we are losing the services of this man who has represented our State so admirably for so many years, since 1977 when he first came by virtue of a special election, the first Republican elected in the First District of Louisiana in 102 years, and has served our State for the past 11 terms, and most recently for the last four years as chairman of the most important committee of this body, the Committee on Appropriations.

Bob is leaving many, many friends behind when he takes his leave from us on the 28th, not just friends and colleagues who have worked with him but friends who have known him personally, as I have, and others, throughout his political career. Bob is an extraordinary individual and, as he leaves this body, I thought it important that we take some time out to say thank you to him for his friendship, his service to our State and this country and to the many people of the First District in Louisiana who mourn and grieve the fact that he will be leaving public service in just a few days.

Colleagues have come to join me today in honoring him and remembering his great work for our country, and I would like now to yield time to my friend from Louisiana (Mr. MCCRERY) for comments.

Mr. MCCRERY. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding.

Mr. Speaker, it is with mixed emotions that I appear on the floor today. On the one hand, I regret that our colleague, the gentleman from Louisiana (Mr. LIVINGSTON) will be leaving the House at the end of this week and, as my colleague, the gentleman from Louisiana (Mr. TAUZIN) said, ending his long, distinguished public service.

On the other hand, it is a pleasure for me to come to the floor and say some things about my retiring colleague, the gentleman from Louisiana (Mr. LIVINGSTON) perhaps that a lot of people do not know, and be able to share those experiences that I have had with him with the public.

When I came to this body 10 or 11 years ago as a freshman, never having held public office before, I had a lot to learn. BOB LIVINGSTON I looked up to in more ways than one. He is a lot taller than I am, but also I had followed his distinguished career through the years and I knew that he was a person of substance, a person of character and learning, someone who, if he would, could teach me a lot about this body, how it works, how to get along here, how to get things done.

I suspected that because of his stature in this body, being a fairly senior

member even at that time of this body, and having the responsibilities that he had on the Committee on Appropriations and with his own district in the New Orleans area, that he would have little time for a new guy like me. Well, I was wrong. Well, I was right he did not have much time but I was wrong because he made time.

He took the time to counsel me on numerous occasions. He took the time even to travel with me to my district. Then I did not realize what a sacrifice that was for a Member, any Member, much less a senior Member of the Committee on Appropriations, to take a day away from his family, away from his work, to go to some other Member's district for that Member's benefit, but he did it. He flew from Washington to Shreveport, Louisiana, to help us in Shreveport with an economic development project.

Now that I realize, having been here awhile, what a sacrifice that was, it makes me appreciate that gesture on his part all the more. He is that type of individual. He is that type of human being, of person. He really goes beyond what is required of a Member of Congress. He really goes beyond what is required of a colleague, even a colleague from Louisiana, to help all of us.

I am sure each Member of the delegation can relate a similar story about BOB LIVINGSTON bending over backwards to try to help us with something that we needed in the State of Louisiana. So he has been a real asset to me and my growth here in this chamber. He has been a real asset to his home district. He has been a real asset to the State of Louisiana and to this country.

I will miss him. I know that Louisiana will miss him, and I would submit that the country will miss him as well. So it is with mixed emotions that I appear on the floor here today, but I have no mixed emotions about wishing my colleague from Louisiana, BOB LIVINGSTON, well. I wish he could stay with us a little longer but he thinks it is time for him to go, and he will do well in the private sector, I am sure. We look forward to seeing him here often, though, as he will still be able to share with us some of the wisdom and knowledge that he has gained over the years of his public service.

So, Mr. LIVINGSTON, wherever you are, and wherever you will be, know that I have cherished getting to know you, cherished the knowledge that I have gained from my visits with you and hope that you will know that I and many others in this chamber will miss you. Bon voyage. Come back and see us.

Mr. TAUZIN. Mr. Speaker, during the course of this hour, I will be telling some things about BOB LIVINGSTON as I introduce my colleagues. I thought it best, first, to say a little bit about his family history. It is important to note that one of BOB's immediate ancestors, for whom he is named, was ROBERT LIVINGSTON, the minister to France, who was sent on a great mission by

then President Jefferson to acquire from Napoleon the territory of Louisiana. It was his signature on that document of purchase that is of historic reference to us, all of us in the 13 States or parts of States that have been formed out of the Louisiana Purchase.

ROBERT LIVINGSTON was also the sixth Congressman to represent the First District in Louisiana. He served between the years of 1823 and 1829. Coincidentally, when he signed that document of purchase, of the Louisiana Purchase, he signed it on April 30, 1803. April 30 happens to be BOB LIVINGSTON's birthday, a great coincidence of history. Of course, BOB was not born in 1803. He was born significantly later but nevertheless a coincidence of history that this document bears his birth date on the signature of ROBERT LIVINGSTON, his ancestor.

What is interesting about this history is that BOB LIVINGSTON, our friend and colleague in Louisiana and the colleague of so many of us in this body and a friend of so many of us in this body, with all this great history, with this lineage, nevertheless came into this world to very humble conditions.

In fact, BOB was raised by his mother, his father having passed away unfortunately early in his life. His mother was forced to take a job in a shipyard, where she worked to raise BOB and his sister, Carolyn. His mother Dorothy Billet worked those days in that shipyard for her two children to give them a better life and to introduce them to an education.

BOB went on to get his education, getting his degrees, both undergraduate and his law degree at Tulane University, and went on to a great and distinguished career which I will later describe today.

It is from these humble beginnings that BOB LIVINGSTON represents, as so many stories in American history and in this chamber, the life of an American citizen coming from humble roots and yet rising above those difficulties because he had a great mom who worked hard to see to it that her two children had a chance in life.

BOB LIVINGSTON himself returned to that same shipyard and worked in that shipyard to again begin his life and his career, before he indeed went on to a greater era of public service, again, which I will describe in just awhile.

Now I want begin introducing some of his other colleagues who also want to wish him well in honoring this day as we say good-bye to such a great friend and colleague. Let me introduce from the great State of California, the gentleman from California (Mr. McKEON).

Mr. McKEON. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding the time and I appreciate him doing this special order and I appreciate him telling those stories about BOB.

I am not as senior as many here today who will be speaking and have not known BOB for as long, so I appreciate

the opportunity of learning a little bit more about him on a personal nature from some of these stories. I also, like the gentleman from Louisiana (Mr. McCRERY), have mixed emotions. I hate to see BOB leave. He will leave a hole here in the House, but I appreciate his desire to leave, and after giving over 20 years of service to his country I think he deserves the opportunity to pursue new ventures, new paths.

I have been here now for just a little over 6 years. In my first term here, I remember BOB coming up to me one day and saying that he would probably be approaching me and talking about getting some support for a leadership position he was considering running for. I did not know him really at all, and I thought I was probably going to support somebody else at that time, but I started watching BOB. When you are new here, you have certain heroes that you kind of build up around you and after awhile BOB became one of my heroes. I appreciated his humanity. He did not seem to get caught up in himself. There are people around here that sometimes egos are hard to overcome.

People give us a lot of adoration, and it did not seem to go to BOB's head. He kept his humanity. He kept his humility. I saw how people would talk to him and he gave them his attention, and he was a great listener. I appreciate the integrity that he has shown through his service here, especially the last one he made with giving up the opportunity of being speaker because he felt that that was the thing to do based on his love for his family, his love for his wife, and I think that showed us a great deal.

□ 1745

I appreciated his leadership style. He listens, he builds consensus, and then he moves forward with determination to get things accomplished.

I appreciate the opportunity he gave me to work with him briefly in moving forward in his planning to be the Speaker of this Congress. I had a chance to look at him a little closer. And all of the feelings that I had for him grew because I saw he was a real, genuine person. And we really will miss him here, but I understand he is going to be around in town and we will have a chance still to enjoy our friendship. I look forward to that.

Mr. Speaker, I wish him all the best in time spent with his family and in pursuing new ventures in life, and feel that it is a privilege and honor to be able to call him a friend.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman from California. BOB did not live his whole life as a welder in the shipyards. He went on to other pursuits, and one of those was his distinguished service in the United States Navy as an enlisted man from 1961 to 1963. He received, later on, an honorable discharge from the Naval Reserve in 1967.

BOB's career before politics was in law enforcement, and he served from

1970 to 1973 as a Deputy Chief of the Criminal Division of the U.S. Attorney's office in New Orleans and was honored as an outstanding Assistant United States Attorney for his work there.

His experience also included, by the way, serving as the Chief Special Prosecutor and Chief of the Armed Robbery Division of the Orleans Parish District Attorney's Office, 1974 to 1975; and he was the Chief Prosecutor for the Organized Crime Unit of the Louisiana Attorney General's Office from 1975 to 1976. A distinguished career in fighting criminal elements and representing the Justice Department of our country, and the District Attorney's office of the City of New Orleans and the Attorney General's office of the State of Louisiana.

It is from that background that BOB, I suppose, was encouraged to seek political office eventually and saw the need for men, indeed, of great commitment to join the Congress and to represent our State here.

And so it was in 1977 that he indeed succeeded in his second quest to come to the Congress in a district that had a 3 percent Republican registration, by the way, when he was elected; an indication of the way that he has reached out across boundaries, old boundaries and old walls and old wounds to build a consensus, as he demonstrated in his years in Congress.

At this point I would like to go across the aisle and to recognize a colleague of his, a great friend of his, the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank the gentleman from Louisiana for yielding me this time so I can express my congratulations to BOB LIVINGSTON and thank him for his public service.

I think the Members of this body know very well many of his strengths and many of his contributions to this institution. The great chairman of the Committee on Appropriations who helped bring about, as has been pointed out, consensus on a lot of the difficult fiscal issues of our country.

People think of him in the Republican Caucus for his leadership in rising to the top of the Republican Caucus here in Congress. I might just give one more dimension to where I think BOB LIVINGSTON has made a unique contribution to this institution, and that is the love of this institution and the respect for what this body should be doing and the respect for each Member in this institution.

Before coming to Congress, I was the Speaker of our House in the State of Maryland, and I really appreciated individuals who went out of their way to speak up for an institution when it is many times very fashionable to bash an institution, to go back home and slam it and say, gee, I can make political points. But that is not BOB LIVINGSTON. He understood that we are going to do better as a body if we strengthen the body. He singled himself out here

as a person who wanted to go the extra mile to strengthen this body.

I had the opportunity, did not ask for it, nor did Mr. LIVINGSTON ask for it, to cochair the group that looked over the ethics laws that we have to abide by here. I do not think anyone but BOB LIVINGSTON could have successfully navigated all the mine fields that we had in that effort. He brought out a bill that ultimately is now the ethics standards by which we live that have really elevated us above partisan attacks. It is not by accident that these last years have been more peaceful as far as the ethics process. And BOB LIVINGSTON deserves the credit for doing that.

He truly is a unique individual in his love for this institution and I just could not pass up this opportunity to say from one Member, "Thank you for your public service, thank you for your friendship, we will miss you. We will miss you on both sides of the aisle."

Mr. Speaker, we like a good fight on the Democratic side and we always appreciated having a good fight with the gentleman from Louisiana. We just wish we could have won a few more times. Congratulations.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman from Maryland (Mr. CARDIN). I might add that the Dean of the House, the gentleman from Michigan (Mr. DINGELL) will be inserting his comments into the RECORD somewhere at this point, along with other Members of the other side of the aisle who have also recognized and appreciated BOB's service and his willingness indeed to cross those boundaries and lines that divide us too often to build consensus and to work as a team.

In fact, so good was BOB at that effort, that I think it is worth recording and worth reporting today that just a few years ago when we passed what we thought would be a 5- to 7-year effort to balance the books of this government over that 5- or 7-year period, BOB LIVINGSTON took over the reins of the Committee on Appropriations and for the first time did something quite remarkable in all the years I have served with him in these 11 terms, and that is he actually provided a lower level of expenditure than the previous year.

The result of that austerity, that difficult set of choices that he was willing to forge with Members on both sides of the aisle to bring us to a balanced budget agreement and to enforce it by stringent controls of the Committee on Appropriations, where obviously we want to go help people by spending money. He nevertheless exercised such restraint and control that within several years, not the 5 or 7 predicted by many economists, but within 7 years we are debating about what to do with the surplus, rather than the great deficits that were predicted for our country in all of these years.

BOB probably more than any other individual in this Chamber, I think, is personally responsible for getting us that surplus earlier than anyone ex-

pected because of the discipline he showed in those early years as Appropriations chairman and because he was willing to work across the aisle.

Several of the appropriations cardinals who helped make it work are here today and I want to recognize them. First, the gentleman from California (Mr. PACKARD).

The SPEAKER pro tempore (Mr. HAYES). Before the gentleman from California is recognized, let me exercise for a moment the privilege of the Chair to extend my thanks personally to the gentleman from Louisiana (Mr. LIVINGSTON) and his wife Bonnie, for the friendship, the wisdom, and the kindness that they extended to me and my family. And also for the honor that he has brought to the country, his family, and this body by his actions.

The gentleman from California (Mr. PACKARD) is recognized.

Mr. PACKARD. Mr. Speaker, I have a long and rather eloquent statement to make and I am just going to submit that for the RECORD and speak from the heart.

BOB is the kind of person in my life that one does speak heart to heart quite occasionally, and I have had that thrill and that opportunity. Really in a short hour of special orders, it does not do justice in paying tribute from this body to a man that has had such a remarkable influence on the institution and on the country.

Mr. Speaker, I wish that we had more time and more opportunity, but maybe that is not what we need. We just need to let BOB know how much we love and appreciate what he has done.

I have served here for 16 years and so I have known BOB for those 16 years and watched him grow and watched him become a rather significant leader in this institution, and ultimately rise to the point where he changed the direction of the country.

I have always believed that where we spend our money, whether it be in business, whether it be in our family budget, or whether it be in government, where we spend our money is where we set priorities. We spend our money where our priorities are. We can give lip service to priorities, but if we do not really fund or spend our money in those areas, then it is just rhetoric.

But the Committee on Appropriations determines the priorities of this country. We determine where the money goes and we determine what is going to be funded, what is not, and at what level they will be funded. And BOB has been the leader of that process. And so in that sense, he has literally changed the direction of this country and I think very much for the good.

As the gentleman from Louisiana (Mr. TAUZIN) mentioned, he was probably the most responsible person in all of this Congress for balancing the budget because, again, he controlled the pursestrings. He controlled some of us who serve as chairmen that also control pursestrings, but he was the one who gave us the direction. He was

our leader and every one of us looked to him for leadership.

I appreciated the fact that he called me to be a chairman of one of his subcommittees. That was an honor to me, and I appreciated the chance to work with him.

Actually, when the Republicans took the majority 4 years ago, that changed the direction. BOB was at that time put in the most, perhaps one of the most responsible positions in the House by our Speaker, Newt Gingrich, to be the chairman. Even though he was not the ranking member of the committee, he became the chairman of the Committee on Appropriations.

Why was he chosen even though he was down the list a few slots? He was chosen because he had demonstrated the ability to make very difficult choices and make them right. That is really a unique quality of anyone to be able to make very difficult choices, but to make the right decisions in making those choices. And there is no position in the Congress that it is more crucial that we have that kind of a leadership than chairman of the Committee on Appropriations.

So, I really did appreciate the chance to work with him. I learned a lot. He was my mentor. He was, as someone said, my hero and still is.

One of the things I noticed about his leadership on the Committee on Appropriations was that he kept it fun. Sometimes we lose sight of the fact that we ought to enjoy what we do here. I really had fun going to do the hard work of the appropriators because BOB was a fun person to work with. He always had a twist of putting across the tough difficult decision. And I loved that, because we can get so serious and so passionate. And certainly there are few people in this institution that are more passionate on a few issues than BOB LIVINGSTON. And to watch him on the floor in those passionate speeches, we can recognize that passion.

But one has got to enjoy the work. One won't be good if they do not enjoy the work. BOB enjoyed his work. He helped us to enjoy the work, and it was a real pleasure to serve on the committee and to serve with him.

Mr. Speaker, I look upon him as truly one of the more distinguished and noble men in the country. He has had me and my wife to his home. We have been very privileged to come and share some time with his beautiful wife, Bonnie, in their beautiful home on the Potomac.

I really do appreciate him. We have worked well together. I have learned to love him as a colleague. I have learned to love him as a man. I have learned to love what he has done for America and what he has done for this institution.

There are few people in our lives, our whole lives that we meet and work with and rub shoulders with that genuinely have a remarkable influence on our lives. BOB has been one of those persons in my life. There are not many

people. I could probably count them on the fingers of my two hands, my father, probably leading the pack, that have made a profound influence on my life. And I would list BOB among those.

Mr. Speaker, I would say to the gentleman from Louisiana, "BOB, I will miss you. I will miss you more than this institution will miss you, because you have been such a remarkable influence for me for good. I hope the good Lord will bless you in your future ventures, in your home, in your family, and all that you do. I am confident that he will, because you have really paid your dues. Thank you very, very much for your friendship."

Mr. Speaker, it is with great admiration that I rise today to pay tribute to Congressman BOB LIVINGSTON. BOB has been an unforgettable force in the U.S. House of Representatives and he will surely be missed.

When BOB LIVINGSTON entered the U.S. House of Representatives 22 years ago, this nation did not have a balanced budget and we were facing increased taxes with each new Congress. Thanks in part to Mr. LIVINGSTON's leadership, today Americans are enjoying a budget surplus and a host of tax changes that allow the American public to keep more of their hard earned money.

BOB LIVINGSTON has a remarkable ability to turn his ideas into action. He would take ideas, pass them through the House and Senate, and get those ideas signed into law in a way that no one else could. BOB LIVINGSTON is a "doer" and he will carry this characteristic with him in all of his future endeavors.

As Chairman of the House Appropriations Committee, BOB LIVINGSTON was in charge of all spending legislation approved by this body. In all that he did, BOB will be remembered for his fairness, his dedication to his work, and his commitment to the interests of all his colleagues.

Over the past four years of BOB's tenure as Chairman of the Appropriations Committee, I have had the pleasure of serving as an Appropriations Subcommittee Chairman. This opportunity to serve with BOB not only helped with my own success as a Subcommittee Chairman for the past four years, but enabled me to watch closely as BOB grew into one of the most effective leaders Congress has ever known.

As someone who has served on all levels of government, both local and here in Congress, I have often been amazed at BOB's ability to bring this diverse body together behind sound ideas and policies. Time after time, BOB LIVINGSTON put aside partisan differences and personal goals to forward an agenda that all Americans could benefit from.

For the past four years, BOB and I have had the opportunity to serve closely on the Appropriations Committee. This allowed our friendship, which I already treasured, to grow. Over this time I was continually reminded of the level of man BOB LIVINGSTON is. BOB is an honest man of high integrity and I truly respect him as a friend. I know this institution will miss BOB LIVINGSTON as a leader, but I will miss BOB LIVINGSTON as one of my closest friends.

BOB, I'm not sure if you realize how important you are to this institute, or how many lives you have touched. As a colleague I am honored to serve with you and as a friend I admire you. While we may no longer serve side

by side in this House, I can assure you that your legacy, or the many lessons you have taught me, will not soon be forgotten.

I wish you and Bonnie all the best for the future. Thank you for your service to this country. You will be deeply missed.

Mr. TAUZIN. Mr. Speaker, we just heard comments of one of our colleagues who indeed has worked so closely with BOB. The relationship has grown incredibly close and personal, and there are others in this Chamber who will speak, but I wanted to take a minute to recognize one of our close friends within our delegation who is also with us to say a few words and that is the gentleman from Baton Rouge, Louisiana (Mr. BAKER).

Mr. BAKER. Mr. Speaker, I certainly want to commend the gentleman from Louisiana (Mr. TAUZIN) for his effort in organizing this opportunity for Members this evening on what is a difficult but obviously very significant occasion of the announced retirement of our good friend, BOB LIVINGSTON.

So many speakers have come to this mike already this evening and talked about BOB's passion. We do not have to guess where BOB LIVINGSTON stands when it comes to an important issue. Everybody knows. And it is always an informed opinion, one strongly held. BOB is a person for whom all Members have great regard.

□ 1800

There is sometimes some concern if he happens to be on the other side of the issue because you know he is going to be very persuasive, and I can speak from direct knowledge on that subject. I can also say that, as an ally, one cannot have a better friend.

Rather than to talk about a lot of things, I would simply point to one important project that I worked on for 3½ years in this Congress with BOB LIVINGSTON as chairman of the Committee on Appropriations. All too often, the chairman of the Committee on Appropriations is viewed as the person who has to do the tough things, cut the budget, tell people no. But there is another side to that responsibility which all too often is ignored.

There was a facility within the Sixth District of Louisiana that really was in deplorable condition. It had ministered to people in a certain health condition for well over 100 years and was under significant budgetary pressure to close. It was historically significant, a facility that was built in the mid-1800s and had served a great and long mission of caring for people who otherwise were viewed as social outcasts.

I went to BOB with the problem and told him what we wanted to do with that facility, which was to create a new education and job training program for at-risk youth, young people who were out of high school, had not gotten their GED, who were not yet in trouble with the law but were likely to end up in a life of social dependency or, worse yet, in the criminal justice system.

It took 3½ years, but BOB LIVINGSTON would be pleased to know that this April the first class of young adults will enroll in the Carville Academy. These are people who are going to be given a chance, not just to get a GED, not only to get job training, but, at that facility, they will be guaranteed a job upon the completion of their successful course work.

That is not something many of BOB LIVINGSTON's constituents would have the opportunity to see. But it is commitment to doing something right that makes a positive difference for people who otherwise may never even know BOB LIVINGSTON's name. That is the kind of fellow he is. He has commitment, purpose and principle. He never gives up. He does not quit.

For the people of the Sixth District and all of Louisiana, we will not only miss his colorful leadership, we are going to miss his positive, principled leadership in this House. For that, we will all suffer loss.

I thank the gentleman for yielding to me.

Mr. TAUZIN. Mr. Speaker, I thank my friend, the gentleman from Baton Rouge, Louisiana (Mr. BAKER).

I present to the House another one of the cardinals who have come to the floor today to bid bon voyage to the great chairman of the Committee on Appropriations, the gentleman from Alabama Cardinal CALLAHAN.

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for making the arrangements today for me to join most of the members of the Louisiana delegation in paying this tribute to my close friend, BOB LIVINGSTON.

We develop friendships here in the Congress. Ironically, when one leaves, occasionally history will reflect that one passed a certain piece of legislation that may be named after one or one did certain things. But the real mark of a character is how many friends one has when one leaves here.

BOB, you certainly leave here today with a myriad of friends, true friends, friends that will stick by you no matter what, friends that you have helped and friends that have helped you. I am proud to call myself one of those friends.

I happened to listen today to all of these Louisiana Cajuns talk about Louisiana, and I have had the opportunity in past years to visit Louisiana, both with BOB LIVINGSTON and the gentleman from Louisiana (Mr. TAUZIN). I have had the opportunity to meet with their governors. They are always extolling the merits of Louisiana, talking about what a great, great State it is and talking about the great restaurants and the cuisine and all of the wonderful people there.

But I very seldom hear any of them publicly talking about the greatest asset that the State of Louisiana has, and that is it is only like 75 miles from the Alabama line. Each weekend, you see these people coming from Louisiana to visit the beautiful beaches of

Alabama. BOB, you have been to Alabama, and you have visited the beaches there, and we welcome you any time you want.

I would like to share some of the comments that my colleagues have made about your contribution. When I first came to Congress in 1984, we had budget level deficits of some \$300 billion, and it seemed to be growing. Suddenly, 4 years ago, that trend stopped. As a result of that, now we have budget surpluses, something that has never been heard of in our lifetime almost.

So many people are positioning themselves or speculate on who was responsible. There are many who say that Ronald Reagan started it, and certainly he did make a tremendous contribution towards the beginning of this surplus that was created. There are some that said George Bush had a lot to do with it, and certainly he did.

There are some, President Clinton being one, taking credit for it, even though some of us think that there was very little contribution on his part, but it did happen on his watch. Certainly he is to be given credit.

But if there is one single individual who deserves the most credit, we have to give it to BOB LIVINGSTON. Certainly, BOB, that will be your legacy. That will be the legacy you leave here in this Congress that, under your leadership, under your guidance, as the chairman of the Committee on Appropriations, you cut the domestic spending level that created this surplus as we know it today. I am happy to have been a part of that team.

I had the opportunity to sit in on all of these meetings and listen to BOB LIVINGSTON pound his fist on the table and say we are not going to spend more money than "X" dollars. So I know the contributions personally he has made. I have watched it in my own little purview of jurisdiction of foreign operations where he has said "no more," where he has said "cut." As a result of that, we did cut. As a result of that, we do have a surplus that we, ironically, are arguing about today as to what to do with that surplus. But is it not remarkable and is it not wonderful that we do have the surplus?

I listened to the history lesson of the gentleman from Louisiana (Mr. TAUZIN) about BOB LIVINGSTON's great, great grandfather when he was participating in the Louisiana Purchase. I remind everyone and all of their friends listening today in Louisiana that, at that time, Mobile was the capital of Louisiana. Mobile started the Mardi Gras which you all take so much credit for today.

So we, too, in Alabama sort of feel a companionship, feel a kinship to BOB LIVINGSTON's great, great grandfather who purchased the Louisiana territory and thus, as a result of that, became all of the great States that we know today.

BOB leaves at a unique time in history. He is leaving on a good note. He is leaving on the fact that he helped or-

ganize this Congress. He is leaving on the surplus that I earlier mentioned. He is joining another career, a career where, hopefully, he will be as successful as he was in the Congress and as he was before he came to the Congress.

But he leaves at a very unique and opportune time in his own personal life, because this week, this week, he was blessed with the greatest gift God can give to man, and that is the birth of a grandchild, Caroline Grace, who was born just this week, the Livingston's first grandchild.

So, BOB, you are going to have the opportunity to spend untold hours with Caroline Grace. She is going to benefit. You are going to benefit. BOB is going to benefit.

I am certain that your career as you leave this body will be just as successful as every endeavor you have ever made in your life. I am proud to call you my friend, and I look forward to seeing you on a more personal level in the years to come.

If I just might add one thing, when you go out into the private venture, when you begin making a little bit of money whereby you can afford some of the better things that you have been denied during your public service in life, I do wish you would buy an automobile with an air conditioner, because let me tell my colleagues, I have so many times, on so many occasions, ridden with BOB to meetings at the White House and the State Department in his antique automobile in the heat of August without air conditioning.

I will assure my colleagues that, after all of this is over with, with respect to the rules and regulations that say one cannot call on Members of Congress, one cannot lobby, we are still friends. We can still go places. But I do wish you would get an air conditioned car.

God bless you, BOB LIVINGSTON.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman from Alabama (Mr. CALLAHAN) for all of his kind words and for that piece of revision of history. We want him to know that Mobile does, in fact, do a marvelous imitation of the New Orleans Mardi Gras. I have enjoyed it in Mobile with him on occasion.

I hate to correct a colleague, but BOB LIVINGSTON does not drive an antique automobile. That would be giving much too much credit to that automobile. It is just an old automobile and a pretty wretched one at that.

We are joined today by a great and distinguished colleague, BOB, the gentleman from California (Mr. DREIER), chairman of the Committee on Rules of the House of Representatives.

Mr. DREIER. Mr. Speaker, I am not a cardinal. I am not a Louisianan. I am not even from Mobile, Louisiana. But I am a huge admirer of BOB LIVINGSTON, and I have to join my colleagues in saying how sad we are to see him leave, but very happy for the great opportunity that lies ahead for both Bonnie and BOB.

I am a southerner, though I come from southern California like that great cardinal we have heard from. It is interesting to listen to the gentleman from Alabama (Mr. CALLAHAN) talk about the disparity between the Louisianans and Alabamans. From southern California, they all look the same to us.

But I want to say I remember very vividly the first time that I met BOB LIVINGSTON. I am glad to see that we are joined by our former colleague, Mr. Vander Jagt, here on the House floor, who obviously had a very distinguished career here as a member of the Committee on Ways and Means. I remember that it was at the time that Guy Vander Jagt was the chairman of our Congressional Campaign Committee that I first met BOB LIVINGSTON. BOB probably does not remember when that was. It was at the Shoreham Hotel, and it was just a few weeks after he had won his special election to serve here.

I was there at some Republican gathering at the Shoreham and was at that juncture considering running for Congress myself. While Guy Vander Jagt provided us with great inspiration, the enthusiasm that BOB LIVINGSTON showed just weeks after he had been elected was key to my deciding to move ahead and to run for the Congress. Because he said we have got to win a majority in this place. We have to do everything that we possibly can to implement our very positive Republican agenda. Well, two long decades later, nearly two decades later, we got to the point where we were able to do just that.

The gentleman from Alabama (Mr. CALLAHAN) mentioned the issue of spending cuts. One of the things that I think is very important to note of BOB LIVINGSTON's reign as chairman of the Committee on Appropriations was the fact that, when we looked at emergency spending, when we looked at even spending for defense, urgent defense items, what was it that BOB LIVINGSTON did? He said, there must be offsets. That, to me, was a very positive signal. He stood his ground to make sure that we would have those.

I hope very much that, as we look at a wide range of spending programs for the future, that we in fact follow that great LIVINGSTON model which is a very important thing for us, I believe, to do.

I was looking forward to being BOB LIVINGSTON's Committee on Rules' chairman, as I have taken on this new responsibility, and I am very sorry that I have not been able to do that. But I want to say that BOB LIVINGSTON played a key role during that transition in late November and December. The role that he played is still being felt and I believe will be felt throughout the 106th Congress and beyond.

Not only did he make many very important appointments of members to committees and other spots around here, which, to his great compliment, Speaker HASTERT has continued to follow through with, but it was a leadership meeting that BOB LIVINGSTON

shared where we implemented the four-point agenda that we as Republicans are pursuing: to reform public education; to make sure that we provide tax relief for working families; to deal with saving Social Security so that those that are at or near retirement are not in any way jeopardized, but also look at the very important plans for baby boomers and those younger looking at retirement for the future; and, the fourth point, recognizing that since 1985 we have witnessed a diminution in our defense capability. We are standing firmly for rebuilding our defenses as we look at the very serious challenges that we face throughout the world.

□ 1815

Those four points, education, tax relief, Social Security, and national security, all emanated from the leadership team that BOB LIVINGSTON put together.

And so while he is retiring and going on to an opportunity that will allow him to maybe be able to buy actually an antique automobile and replace that with his old automobile, it is air conditioned, he should know that the things that he has done throughout his entire two decades here, and most recently those efforts that he was able to pursue in bringing about the transition in our leadership, will be felt throughout this Congress and for many years to come.

So I wish him well, and his entire family well, and I want to say that he will clearly be sorely missed around here, and I thank my friend.

Mr. TAUZIN. Mr. Speaker, let me point out to my colleague that BOB had the good sense of marrying a good Cajun girl, and Bonnie Robichaux has literally been an extraordinary woman and partner and friend. And to Bonnie and BOB's four children, Rob and Richard and David and Susie, who are all indeed working, Susie here in Washington, D.C. and Rob and Richard and David all in Louisiana, we want to wish them the best. We know that now, finally, they are probably going to see an awful lot more of their dad than they could in all these years that he served both in law enforcement and now in the United States Congress.

To round out this extraordinary parade, I wanted to yield to another one of the cardinals of the Committee on Appropriations who can speak with great eloquence about BOB's friendship and his extraordinary contributions to this body and to the country, the gentleman from Ohio, Cardinal RALPH REGULA.

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding to me. And, BOB, tonight, when the phone rings, it will not be someone wanting you to change your phone service, it will be an automobile salesman. Just make sure it's an American model; saying that from Ohio.

We cannot claim kinship with Louisiana, being much further north, but I want to say, BOB, we do appreciate that

offshore oil that you send up to fuel our factories and our farms and our homes. And Louisiana, with your leadership, has been out front in providing for the Nation's security.

BOB was given a tremendous challenge as the new chairman in handling a rescission bill. We tend to forget how vitally important that bill was to demonstrate the majority party's commitment in real dollars to reducing the cost of government. It was an enormously challenging responsibility, because what his leadership required was to say to people we are going to take something back that you already have, and that is not easy to do.

And yet we had a very successful bill under the leadership of BOB, saved several billion dollars in rescinding programs that would have otherwise been wasteful spending. And, most importantly, it established a lower base. Because the programs in appropriations build on the base from year to year to year, that savings achieved by that first rescission bill will lead far into the future in saving the taxpayers money. That was an enormous contribution, and it was, I think, quite evident of his excellent leadership as the new chairman of the committee.

I would also say that I was always impressed with his grasp of the issues. Because as chairman, BOB would go from committee to committee and participate in some of the difficult challenges of each of the subcommittees, and to do that he had to have an understanding of the issues. He did very well in serving in that role. And I believe that contributed substantially to the success of the appropriations process in achieving what we now have as a balanced budget, because basically the budget is a composite of all the separate programs.

I would also say, BOB, if things get tough, you can be a diplomat. I experienced that in your office one day when you were between a couple of Members who had a somewhat different point of view, and you exercised great diplomacy in avoiding bloodshed. A good thing you did have those knives that you had for the first meeting out of reach. It was a real feat of diplomacy because of the different points of view.

Also, BOB, if things get real tough you can start a restaurant. You have a wicked pot of jambalaya, and we enjoyed that in your home one night. I think you said you produced it. It was probably Bonnie's handiwork, but nothing like taking credit when she was not within ear shot.

But, really, I have enjoyed your leadership and I have enjoyed the fact that you have always supported each of us in the subcommittees in dealing with some very difficult problems. Oftentimes we have to make decisions that are not necessarily pleasing to Members in order to keep a restraint in spending, and to accomplish this required having your support as we would bring a bill through the process. I think you have done a superb job of

providing leadership. You have established a benchmark that will be a challenge to those in the future.

And since it was the first time in 40 years that we had the chairmanship of that committee, the way in which you conducted it does create a pattern that I think will be followed in the future. So your contributions will reach far beyond your tenure in the Congress, and I join all my colleagues in wishing you and Bonnie the very best. You have been blessed with a good helpmate in Bonnie, and it has been a joy to just be part of this Congress and serving with you and knowing both of you.

Mr. TAUZIN. Thank you, Chairman REGULA.

Mr. Speaker, before I yield to the next Speaker, let me just point out that this extraordinary conciliator, this extraordinary legislator, who has reached out across party lines and whole divides, was once an opponent of mine for the governor's race in Louisiana.

He and I contested mightily for that position. In fact, then I was a Democrat and he was a Republican contender for governor of our State. At an event after the race was over, I mentioned BOB had gone around the State of Louisiana trying to convince everybody what a rotten governor I would make; and I had gone around the State of Louisiana trying to convince everybody what a rotten governor he would make. And we must have both been very credible, because they believed us both so well they elected Congressman Buddy Roemer to that seat.

In the end, I, a Democrat, left with a huge debt, defeated in that race for governor, turned to BOB LIVINGSTON. And he, as our dean, led an effort, with all the Members, Democrats and Republicans, to help me pay off that debt so that I could move on and serve our State, as I have tried to serve it well as a Member of the United States Congress. It is that kind of spirit, this man, that I think has been the hallmark of his career.

Finally, I want to yield to a few people who want to comment about that, among them my good friend, the gentlewoman from California (ANNA ESHOO).

Ms. ESHOO. Mr. Speaker, I want to thank the chairman of the Subcommittee on Telecommunications, Trade, and Consumer Protection of the Committee on Commerce, the gentleman from Louisiana (Mr. TAUZIN). I was in my office and I had this station on and I was listening. Mr. LIVINGSTON, to the marvelous things that were being said about you and I wanted to come to the floor and pay tribute to you for the kind of man that you have been, for the kind of Member you have been, and the leadership that you have provided here in the House of Representatives.

Just anecdotally, my earliest memory of BOB LIVINGSTON is at the Hershey retreat, at the bipartisan retreat 2 years ago. I had gone to mass that Sunday morning, and I looked in front of

me to say "peace be with you", and who was standing there but BOB LIVINGSTON and his wife. Now, I think that in order to be great, and in order to do really extraordinary things, that you have to be a good person. And I believe that BOB LIVINGSTON is a very, very good man.

The next time I remember seeing him, and I thought, gee, we keep bumping into one another at religious-like undertakings, was here in the Capitol at a magnificent, beautiful memorial service for Congressman Emerson. And there he was again in his tall and quiet way.

I wish that BOB LIVINGSTON were remaining in the House of Representatives, where he would continue the very important work that he undertook both as chairman of the House Committee on Appropriations and the kind of leadership that he has given.

This is the first time that I have crossed the aisle and spoken from the Republican side. I do that, Mr. Chairman, to pay tribute to you, because I think that people across this country, whether they know your name or not, will be the beneficiaries of the kinds of good things that you have done here.

You will be remembered long after you leave here for your goodness, and I wanted to come to the floor to pay tribute to you tonight and to say to you that I have every confidence that you have many, many chapters of exciting times of your life to come. Thank you for what you have been here. Thank you for the gentleman that you are.

I want you to know that I am one of many, many, many here that had looked forward to working with you as Speaker of this House. But you will move on, you will be extraordinarily successful, because you have all the ingredients of leadership to do that regardless of where you are. And may I say, "May God bless you". You deserve it.

Mr. TAUZIN. Mr. Speaker, I thank the gentlewoman for her extraordinarily warm and generous remarks.

I am pleased to round out this session of honor to my friend BOB LIVINGSTON by yielding to another great friend, a good man, another Congressman from my State, my dear friend, Mr. Bill Jefferson.

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding to me, and I think the remarks the gentleman made about the Governor's race, when you and BOB were in it, were exactly right. We will have more to say about that in the future, BILLY.

I want to say this about my friend BOB LIVINGSTON. BOB started out representing a district that was largely Democratic. That is why I believe he learned to work so well with Democrats across the aisle, with Democrats in general, and of course with his own colleagues on the Republican side, because he had a lot of practice doing it in the first district that he undertook back home. BOB LIVINGSTON understood

how to deal with ordinary people, and he understood how to deal with a city that was as diverse as New Orleans is.

He and I had the good pleasure of working together, not just as colleagues in the Congress but as people who had a responsibility for making the Congress regard our city and for having the Congress respond to the needs of our city, and we did that in a beautiful partnership. He, of course, was the leader of the partnership; I was the junior partner. Nonetheless, he listened to me when I first came here. He encouraged me, he gave me whatever guidance he could, and he parted with me over time to take the issues that I knew were important to our area. He listened to me very well and he made these issues his own.

And so, BOB, for the folks who drive the RTA buses, we thank you. For the people who worry about the hurricanes and those levied areas, we thank you for that. For those folks who drive on the streets that never really were quite right, that never will be because the ground is too soft and the street is always going to give way, we thank you for always remembering us in our community development programs and efforts. We thank you for what you did for our schools and for education, and for the way you tried to introduce technology, a very new feature, into the Louisiana economy, and how you helped to diversify our economy.

We now have a monument that is an example of the kind of innovation that you are capable of, and it sits at the University of New Orleans, and will be there, I hope for all time, as a living monument to your creativity. What you did was to bring to our area, and to bring to the whole of our government, a new way of thinking about how to save money and to consolidate and to make our budget work better and in more effective ways; and, at the same time, to partner with the private sector in ways that now have created more than 1500 jobs in our area in this one facility and that will be there, hopefully for a good long time, as a BOB LIVINGSTON memorial.

Now, we all hope to be remembered well when we leave this place. And as many of my colleagues said earlier, I'm confident that you will be, mostly for your decency, because people could talk to you, because they could work with you, because they respected you, and because we all looked forward to greater service from you. BOB, for one, I am really going to miss your presence here and I am going to miss the prospect of what would have been, I believe, great service as the Speaker of this House.

□ 1830

And so, for those folks in Louisiana who would like to stand here with me today and from my district and say good-bye to you, let me on behalf of all of them give you our fondest farewell and our fondest best wishes for you and your wife and your family and say we

were lucky to have a chance to serve with you and lucky to have a chance to be a partner with you for the time I have been and lucky to have known you and your family, and we wish you the best luck and Godspeed for all that you do in the future.

Mr. LATHAM. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Iowa.

Mr. LATHAM. Mr. Speaker, I thank the gentleman from Louisiana for yielding.

I just come to the floor to say thank you to a real gentleman, BOB LIVINGSTON, to say thank you for his honesty and integrity, someone that I admire very, very much and, last of all, to say thank you for the opportunity that BOB LIVINGSTON gave me to serve with him on the Committee on Appropriations. His leadership is something that will always be very, very important in my career here in the House.

He is going to be missed tremendously. We love him and wish him Godspeed.

Mr. TAUZIN. Mr. Speaker, I thank my good friend and neighbor for his kind words.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman from Louisiana for yielding.

Not many people know, I think, the heart of BOB LIVINGSTON, but he is somebody that can be ferocious but caring ferocious. I served under a lot of different commanding officers in the Navy, and we had good, bad and others. So you get to judge leadership a lot being in the service.

Let me give my colleagues one instance, and BOB will remember this. I had worked four terms trying to get on the Committee on Appropriations, and I felt that I had been cheated out of the Committee on Appropriations, and I did everything I could working with the leadership, even above the Appropriations chairman, Mr. LIVINGSTON, to get on Appropriations and Defense Appropriations.

Well, it was almost a no-no situation, and yet I proceeded to do just that. And when I finally got on the Committee on Appropriations and Defense, BOB LIVINGSTON, to get me on there, had to give up his slot on the Defense Committee on Appropriations. That is what he did. But, in the meantime, he took me back in a little room and put his finger in my chest and treed me for about 10 minutes. But you learn that BOB LIVINGSTON did this not in front of other people but he expressed himself man on man, directly to me. That itself shows leadership. It shows caring. It shows compassion.

BOB, we are going to miss you. Godspeed. And if I can ever be the wind in your sails, let me know.

Mr. TAUZIN. Mr. Speaker, I think this hour is just about over. It has gone

much too fast, and there is so much more we could say to honor and extend our great respect to BOB LIVINGSTON as he terminates his many years of service to the State of Louisiana.

I just want to add one personal thought. BOB and I have been friends for a long time. We contested each other politically. We have been on different sides of the fence occasionally. At the end of the day, we have always been friends. And that has been the hallmark of his career. He leaves so many friends here.

BOB, Louisiana will miss you. Louisiana will miss your service. Louisiana will miss your caring, concern for her, for all of her people. And my colleagues in Louisiana and across this body will miss you for the good man that you are.

Mr. Speaker, with great thanks and appreciation to the gentleman from Louisiana (BOB LIVINGSTON), who I will now replace as dean of the Louisiana delegation, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to pay tribute to my friend and the Representative of the good people of Louisiana's First District, BOB LIVINGSTON.

BOB LIVINGSTON is a man of courage and honor. In every aspect of his career in Congress, he has made clear his enduring love and respect for the institution of the House of Representatives in which he has served for 22 years.

At a time when our nation was calling out for leadership, BOB LIVINGSTON reminded us all that the institutions of our democracy are stronger than any one person.

I have witnessed firsthand the strength and fairness with which BOB LIVINGSTON led the Appropriations Committee and how he demonstrated exceptionally well the leadership necessary to bring people of divergent ideas and talents together. I can say proudly, too, that as New Jersey's only Member of Congress to serve on the Appropriations Committee, Chairman LIVINGSTON was receptive to the needs of New Jerseyans and supportive of my work in Committee on important state priorities.

It is, of course, legend now, that day he came to take over the Committee wielding a "Louisiana filing knife." And with a surgeon's precision, he led us to make cuts that put our budget in balance for the first time since 1969. Under his leadership in the 104th Congress, our Committee reduced government spending by over \$50 billion, and we continued this trend in the last Congress, too. This will be BOB's legacy, and I am proud to have had the opportunity to be a part of it.

BOB, you will be missed. Thank you for your courtesy, and your friendship. I wish you and Bonnie continued success for the future.

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on my special order.

The SPEAKER pro tempore (Mr. HAYES). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PATTERN OF BRUTALITY AND KILLINGS IN NEW YORK CITY LINKED WITH EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, I would like to add my voice of praise and congratulations to the retiring chairman of the Committee on Appropriations in one respect that I think people keep forgetting, and it ought to be an important footnote in the history books. That is that the biggest appropriation in the last few decades for education, the biggest appropriation, was the appropriation in 1996 that came out of the Committee on Appropriations. Education got a \$4 billion increase under the leadership of Chairman LIVINGSTON, \$4 billion.

We had gone for 2 years with proposals coming from the majority party that we decrease education and that we cut education. And the miracle of that fall and the miracle of the sessions of the Committee on Appropriations produced a \$4 billion increase in education. And I want to congratulate Mr. LIVINGSTON, the chairman of the Committee on Appropriations, for that; and history should note that.

I am very concerned about education. And I have been on the Committee on Education and the Workforce now, this is my 17th year. I really wanted to make my speech tonight a speech about the importance of the education agenda, particularly the item of school construction.

I wanted to confine my remarks originally only to that subject. However, I must say that a matter of grave concern to me forces me to broaden my discussion, and for days now I have been very disturbed about events taking place in my home city of New York.

I represent the 11th Congressional District of New York State, which is part of New York City. The 11th Congressional District is in New York City. And although it did not happen in my district, there was an incident where the New York City Police Department, a street unit, fired 41 shots at a young man; and a large number hit him, of course; and he was killed. We do not use the word "killed." He was murdered.

Because there was no real reason why a man standing in a doorway, innocent, no record, no violent crime had been committed in that immediate vicinity during that particular period, and suddenly an innocent man, who happened to be an immigrant from Guinea, was killed in cold blood.

Of course, if this stood by itself as one lone incident where four policemen emptied their guns on an African in New York City it would not have caused the furor that it caused. But there were other incidents recently.

Abner Louima, in a precinct adjacent to my district in Brooklyn, was sodomized with a broomstick last summer during the mayoral election that took place. And Abner Louima, the four policemen on trial for that still have not been tried. That was another incident.

I have lived in New York City now for more than 35 years, and I have been an activist for most of that time, so I can recite easily a long list of other people who have suffered from police brutality and police killings. The killings stand out. And every time one of them took place, I always said we cannot get much worse than this.

When Clifford Glover was gunned down in Queens, a 12-year-old boy who was fleeing from the police and was shot in the back, I said, how horrible. It cannot get much worse than that. But many others have taken place since Clifford Glover was killed.

Claude Reese, Randolph Evans, who was shot at point-blank by a policeman who put a gun to his head in a crowd and shot him; and there was no explanation that the policeman could give, so he finally was acquitted on the basis of psychomotor epilepsy. They brought a psychiatrist to court, an expert who we have never seen or heard from since, who described the condition of the policeman as psychomotor epilepsy. So that policeman was acquitted. I said, oh, you cannot get much worse than that.

Then we had Eleanor Bumpers in the Bronx, who was a grandmother in her sixties, in her own living room who was shotgunned down by a policeman, a police sergeant, who said that he was frightened for his life because he came into her living room and, not knowing who he was, she lunged at him. She was shot down in cold blood. And not only was that sergeant exonerated, he was later promoted. And on and on it goes.

In my district, several years ago a young man was killed. Twenty-one shots were fired from the police at a young man in a car. They noted that the car was stolen, and they identified it. And they said he went for a gun, but no gun was ever found. But he was shot 21 times. And we could not even get the photographs of the policeman who did that released.

So there has been one incident after another and people have been crying, as they always have the right to cry, about public officials not providing proper leadership. Where should we leave them in this situation?

The demonstrations are taking place in New York. Yesterday, there was a demonstration near city hall. It was one of about five demonstrations that have taken place since this incident occurred on February 4. Eight protesters were arrested near city hall in Manhattan yesterday when they chained themselves together to block traffic on lower Broadway. And on and on it goes.

Several churches had special prayer marches last Sunday. On and on it goes, and it is appropriate that people should be very upset.

And it occurred to me that there is a link between the problem we have in New York City with education and school construction and the problem we see now manifested in the way the police brutalize the minorities and the pattern of brutality and pattern of killings.

One of the facts in the pattern of brutality and the pattern of killings is that these accidents that the police claim misjudgment or reasonable reactions and responses, these accidents never happen in white neighborhoods. There have been no accidental killings, there have been no atrocious incidents where guns were emptied on white young men or women. There have been no grandmothers in the white community ever murdered in their living rooms by police.

The pattern is clearly the evidence that it only happens in minority neighborhoods. Yes, some have been Hispanic, some of the victims. Some have been Asian recently. Because we have a new immigrant population, powerless Asians. One small kid who had a toy gun was shot down by a policeman and killed. On and on it goes.

The pattern is clear. Something is wrong racially in terms of the actions and reactions of the New York City Police Department.

I have been involved for a long time, and I can give my colleagues the long list of demands that we made 20 years ago. Those same demands are being made now. And yet nothing changes. They sit as a permanent government of New York, the newspapers, the New York Times and the media, and they all control public opinion, and they do not want to see something happen that does not happen.

So I assume that reform of the police department, which is basic, the establishment of a civilian review board, a number of things that we asked for, the appointment of a special prosecutor to deal with police brutality and police killings so that the district attorney who has to work with police all the time is not in a position to prosecute police. There is an intimidation factor which is obvious. The ending of the 48-hour rule, where policemen cannot even be interviewed about an incident like this until 48 hours has elapsed.

The movement of New York City into the same category as the other cities in the State where New York City has the right to hire only policemen who live in the city. Other municipalities and counties in New York State have the right to have a residency requirement. Only New York City, by State legislative law, cannot have a residency requirement. So we have most of the people who are policemen coming from outside the city. They live in communities outside of the city.

Of the people who were involved in this latest killing, three of the four lived outside of the city.

□ 1845

Of the people involved in the latest killing, the oldest person was 27. One

was as young as 23, the policeman. That pattern goes on and on, and the establishment, the power structure, will not cooperate with the leadership from the minority communities to give any kind of ground in terms of meeting demands that are reasonable: the appointment of a special prosecutor, the residency law, the end of the 48-hour rule, the establishment of a civilian review complaint process that is not tainted by the police commissioner having the last word. All these basic, reasonable demands have not been met.

On the other hand, if we look at education, we have made some basic, reasonable demands over the years that also have not been met. Some atrocious things are happening in education. There is a pattern of tyranny here, a virus into the democracy of New York City and New York State. There is a virus of tyranny and a virus of oppression which is reflected in some atrocious acts that are being committed across the board whether you are talking about welfare policies and recently the Federal Government criticizing New York City and putting it under a special court order for the way its welfare policies are being handled, the way people are being processed or whether you are talking about hospitals and health care. The city hospitals, the Hilton hospitals corporation that has existed for several decades, the present administration of the city is trying to sell the hospitals, privatize them. It gets so ridiculous until in my district recently the laundry that services the city hospitals in Brooklyn has been ordered closed and they are going to contract with a laundry across the river in New Jersey because, by the pound, they can provide the service for a few pennies cheaper to launder the linen and the sheets and the various things that relate to the hospitals. The pattern is to try to sell the hospitals, if not sell them, destroy them. And then in education, the pattern has been to refuse to deal with obvious problems related to education infrastructure. School construction is no longer an education issue in New York, and probably in large parts of the country it is the same situation. It is a moral issue. It is a moral issue. It is not a financial issue in New York. It is a moral issue.

School construction reflects the same pattern, the same mind-set of the administration in respect to tyranny and oppression of a certain group of people. The worst schools are in the minority areas. The worst schools are in the areas where black and Hispanic and Asian children go to school. The worst schools are in neighborhoods that have been neglected over the years. So when you have a \$2 billion surplus, and New York City had a surplus, revenue over expenditures last year of \$2 billion, not a single penny of the \$2 billion was devoted to meeting school construction emergencies in New York City. At a higher level, in New York State, the State had a \$2 billion surplus. I am sometimes ashamed

to come to the floor of Congress and talk about the subject that I am going to primarily talk about tonight, the need for Federal aid for school construction, because our State and our city, even with the resources, is doing so little, is dedicating such a small percentage of those resources to deal with school construction. Why? They do not care. There is a moral issue. There is a determination made to destroy a certain segment of the population. The basic human rights of a certain segment of New York City's population are being violated. There is a process which is very different from the way the Serbs violated the human rights of the Albanians in Kosovo. In Kosovo you have violence, you have bullets, you have blood. It is kind of obvious. But also in Kosovo they complain about the fact that the school system for the ethnic Albanians in Kosovo, run by the Serbs, the school systems were not teaching the children properly, the basic problem of language they would not teach but there are things they complained that they had inferior schools. I remember reading at the time when the conflict between Armenia and Azerbaijan had a lot of visibility in the world that one of the big things about an enclave of Armenians that were in Azerbaijan was that the school system was deliberately neglectful of the needs of the Armenian children.

So the school system's neglect of a particular population is not by accident. The people in power who make the decisions, the people in power who have the money, even if they have a \$2 billion surplus, if they do not care about what happens to a certain segment of the children who go to the schools, they will not use those resources. So it is more than just money. It is a moral issue. We would like to have some aid from the Federal Government and I am going to talk about the need and the duty of the Federal Government to provide aid but we certainly are not doing enough in New York City or New York State with what we have. Why? Because there is a virus of tyranny, a virus of oppression that has contaminated our democratic process in New York City. There is a small group that has managed to take power and they have determined that they are going to drive a certain segment of the population out of the city. They are going to neglect them to the point where they will be totally powerless forever. And they continue to go on and on successfully.

That is why I feel I have to deviate from just talking only about school construction and make the linkage between the pattern of police brutality, police killings, the pattern of hospital closings and privatization, the pattern of neglect of certain neighborhoods deliberately, the pattern is such that we have to link them together and understand that we are fighting a much bigger problem than just the neglect of school construction in New York City.

And probably the application to other parts of the country, certain big cities, is the same. People in power who make decisions about the money have over the years neglected these schools and now we have a crisis and they have determined to do nothing about the crisis.

We have a situation where the General Accounting Office in 1995 said that we needed \$112 billion to revamp the infrastructure of schools all across America. They cited, and it is not just the problem of big city schools. There are problems in rural schools which are very serious, there are problems in suburban schools, but mainly the biggest problem, of course, is in the big city schools, Los Angeles, Chicago, Detroit. It is all over where you have deteriorating schools, in some cases endangering the health and safety of children.

The trailer problem. Somebody said a few days ago, they called the trailers learning cottages, not trailers. Let us call them trailers. When the greatest Nation in the world with the highest per capita income and Wall Street setting records every day, when they have to have their children go to school in trailers, then something is radically wrong. The Vice President has recently discovered some schools somewhere in America where children are forced to eat lunch at 9:30 because of the overcrowding. It is such a crowded school until they have to eat in shifts and there are so many shifts that you have to begin serving children at 9:30 and you do not end until 1:30 or 2 o'clock serving the children in shifts. That is commonplace in my district in New York. It is commonplace across New York that children are being forced to eat lunch at 9:45 or 10 o'clock in the morning. That is child abuse. But decent people, teachers with education and a mission to help children, principals, administrators, the city council members, everybody is acquiescing to a situation where children are abused systematically by being forced to eat lunch when they have just finished breakfast.

That is the way you solve the problem, take the pattern of least resistance. Treat the children of the schools as if they were not quite human. Maybe their parents will get the message and move out of the city or somehow take the burden away from the city administration, or whatever. But it is related.

The fact that you cannot have law and order in New York City, some people believe you cannot have law and order without having a violation of civil rights and without having justice is not accurate. There is no reason why we cannot have law and order with civil rights being respected and justice for all.

New York City recently announced and they initiated last night, I think, the policy where anybody who is caught driving drunk will have their car taken away from them. Well, the first reaction of the minority neighbor-

hood is that, there goes our cars, because certainly anybody with alcohol on their breath in the minority neighborhood is going to be stopped. The profiling that is so outrageous all over the country where they have profiles of criminals and color is a basic part of the profile. You stop the cars where the young people are black. You stop the cars where the young people are Hispanic.

I want to congratulate the Justice Department for its announcement, the United States Justice Department for its announcement that it is going to conduct an investigation of profiling in New Jersey, the State right across the river from New York, because New Yorkers and other minorities, certain Hispanic and African-American young people have been complaining for years about the fact they always get stopped, their cars get stopped.

The law of averages say if you stop every car with a young person who also happens to be black or Hispanic, you are going to find a large percentage who might have something wrong in the car. They might have an open beer bottle or they might have even some drugs. If your profiling is done that way, you are going to have a pattern where most of the people who get arrested are going to be black or Hispanic. If you are going to profile drunk driving and stop more people in the minority community, more minority drivers, you are going to have more minority people losing their cars because they happen to be caught up in that network.

We do not think it is a good approach to punish people before they have their day in court. But that is just part of a pattern of moving to maximize law and order at the expense of civil rights and justice. It does not have to be.

The unique thing about our democracy, what makes America so great, is that these excesses we do not tolerate in order to get the productive results. Law and order they had in Mussolini's Italy. Law and order they had in Hitler's Germany. Law and order can be achieved if that is all you want. But why make law and order a goal which prevails over everything else? Law and order over civil rights, law and order over justice. What you end up doing is end up getting lawlessness. You get violence perpetrated by the people who are hired or commissioned to carry out the law and order, the SS, the Gestapo, the police departments filled up with people who are not given proper training, too many people who do not have proper training.

I do not think that the whole New York City police department should be indicted. I think the administration of the police department, I think the administration in city hall must be indicted because they have created an atmosphere, a mind-set, they have made law and order a political objective that must be achieved over everything else, and they have created a situation where people who are unstable, people

who are not properly trained, people who have problems. One of the policemen who shot Amadou Diallo, and I might have gotten ahead of myself and not been specific about what I am talking about in terms of the latest outrage.

Amadou Diallo on February 4, an unarmed street peddler from Guinea, was killed in a barrage of 41 bullets in the Bronx. The people who shot him, one of those people had also been responsible for the murder of a young man in Brooklyn not too long ago where the young man was shot and the wounds that he sustained were not life-threatening but he was allowed to bleed to death. They did not give him any medical attention for 45 minutes and he bled to death. The doctors at the hospital said if he had only been brought to the hospital within a reasonable length of time, his life would have been saved. There were no obvious life-threatening wounds at the beginning.

So Amadou Diallo becomes a symbol, because he is part of a long line. Before him Abner Louima, before him the long succession of Eleanor Bumpers, Claude Reese, Clifford Glover, Randolph Evans and numerous others who were killed by police under circumstances that could not be justified. Anthony Biaz is unique because he is one of the few persons killed by police where the police were punished.

□ 1900

So it happened the policeman who strangled him to death or killed him with a choke hold happened to have had a long record of brutality, and the city and the union ran away from defending him, and he was convicted. Livoti is his name. Livoti was convicted of killing Anthony Baez in a civil suit at least. And the important thing is that some punishment was meted out, whereas in the case of Eleanor Bumpers, the grandmother who was murdered in her living room, the policeman was not only not convicted, he was given a promotion later.

So, the task I made for myself tonight is to make synergy here. There is a clear relationship between the way and, as I speak, it applies to many other places in the country so I do not feel guilty about taking the time here on the floor of the House of Representatives to talk about this because in other places in the country we have the same kind of problems. The task is to let it be known that the education problem is partially, certainly, the obvious part of the education deficit.

The lack of resources is due to the fact that there is no moral commitment to educate the poorest children in America, no moral commitment, and the poor happen to be mostly African American, Hispanic. There is no moral commitment to really educate them, and that is why we cannot get around to doing what is obvious. There is no commitment there. There is no commitment to provide law and order with justice if you can just forget about justice and be careless about the way you

provide law and order. Then Amadou Diallo and Abner Louima and Eleanor Bumpers, they are all sacrificial lambs.

I am going to go on to talk more specifically about school construction and education, but first I want to enter into the RECORD a letter that was written by my colleague from Chicago, DANNY DAVIS, and signed by many other members of the Congressional Black Caucus.

I wrote my own letter to Janet Reno, and I am going to enter that in the RECORD, too. It was like a ceremony every time one of these outrageous cases occurs and someone is unjustifiably murdered by the New York City police. I wrote a letter to Janet Reno asking for an investigation. I asked not only that the particular specific individual incident be investigated but I asked that they investigate the systemic problem, why it keeps happening over and over again, why do only these accidents only take place in minority neighborhoods, why only people who are considered powerless, why only people who are African American or Hispanic or Asian, why are they the only victims of police mistakes? It is really a question worthy of the attention of the United States Justice Department.

But I ceremoniously write these letters. I get an answer back from Janet Reno and, before that, previous Attorney Generals saying, we will proceed to investigate, but I never get a later letter which says exactly what they are doing or what the outcome was. They promised to investigate systemic police abuse in New York at the time of the outrageous sodomization of Abner Louima. Abner Louima was sodomized with a broomstick and left to die. He just was very tough, and although they left him around for several hours, when they finally got him to the hospital, he fought, and he lived and was able to tell his own story.

But the letter from Janet Reno said, we will proceed, I have ordered an investigation. I even got a letter from the local U.S. Attorney saying, we are proceeding to investigate the New York City Police Department, the systemic problem, but you never get any final conclusion or any progress report.

So DANNY DAVIS, my colleague from Chicago, is asking the same things I have asked repeatedly in my letters. DANNY DAVIS' letter reads as follows:

Dear President Clinton, we are writing to urge you to form a Federal task force comprised of community leaders and Department of Justice officials to investigate incidents of police brutality and misconduct. As you may know, on February 4, 1999, Amadou Diallo was shot 19 times in New York City when police mistook him for a rape suspect. In all, four white officers shot 41 times in Mr. Diallo's apartment.

That is not exactly correct. There was a doorway leading into his apartment house.

Continuing to quote the letter from Congressman DANNY K. DAVIS:

There have been numerous incidents of this kind of unchecked police abuse through-

out the Nation especially in African American communities. In 1997, police sodomized and beat Abner Louima, a Haitian immigrant, while he was in police custody in New York City. In Los Angeles, there was the police beating of Rodney King. In Chicago, Jeremiah Mearday was beaten by police who were later fired. In addition, two young boys ages 7 and 8 were arrested and charged with raping and killing 11 year old Ryan Harris when it was later revealed that these young boys could not have committed the crimes with which they were accused. We have numerous examples all throughout the country where this type of police abuse is or has taken place.

There is a real perception in the African American and minority communities that if your skin is dark then you are in trouble. In addition, police brutality has undermined the respect of people in minority communities for the rule of law, because there seems to be two sets of rules. We remain concerned that the police cannot fairly investigate themselves. Moreover, we believe that the formation of a national citizenry board in conjunction with the Department of Justice provides legitimacy to a fair process.

If we are to have true racial reconciliation in this country, then we must deal with the issue of police brutality. Finally, if America is to be what she ought to be, then there must be one set of rules by which every citizen is governed. We thank you in advance for your assistance in this matter, and we look forward to your reply. DANNY K. DAVIS.

And this was signed also by other members of the Congressional Black Caucus.

Mr. Speaker, I enter the letter of DANNY K. DAVIS into the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 22, 1999.

Hon. WILLIAM JEFFERSON CLINTON,
The White House,

DEAR PRESIDENT CLINTON: We are writing to urge you to form a federal task force comprised of community leaders and Department of Justice officials to investigate incidents of police brutality and misconduct. As you may know, on February 4, 1999, Amadou Diallo was shot 19 times in New York City when police mistook him for a rape suspect. In all four White police officers shot 41 times in Mr. Diallo's apartment.

There have been numerous incidents of this kind of unchecked police abuse throughout the nation especially in African American communities. In 1997, police sodomized and beat Abner Louima a Haitian immigrant while he was in police custody in New York. In Los Angeles, there was the police beating of Rodney King. In Chicago, Jeremiah Mearday was beaten by police who were later fired. In addition, two young boys ages seven and eight were arrested and charged with raping and killing 11 year-old Ryan Harris—when it was later revealed that these young boys could not have committed the crimes for which they were accused. We have numerous examples all throughout the country where this type of police abuse is or has taken place.

There is a real perception in the African American and minority communities that if your skin is dark then you are in trouble. In addition, police brutality has undermined the respect of people in minority communities for the rule of law, because there seems to be two sets of rules. We remain concerned that the police cannot fairly investigate themselves. Moreover, we believe that the formation of a national citizenry board in conjunction with the Department of Justice provides legitimacy to a fair process.

If we are to have true racial reconciliation in this country then we must deal with this

issue of police brutality. Finally, if America is to be what she ought to be then there must be one set of rules by which every citizen is governed. We thank you in advance for your assistance in this matter, and look forward to your reply.

Sincerely,

DANNY K. DAVIS.

Mr. Speaker, I also enter a similar letter that I wrote to Attorney General Janet Reno into the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 1999.

Attorney General JANET RENO,
U.S. Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL RENO: Over the course of the last few years I have appealed to you and President Clinton to launch a comprehensive investigation into the pattern of misconduct by the New York City Police Department. The most recent incident involving the shooting death of Amadou Diallo on February 4, 1999, underscores my concern about a police department that appears to be out of control. By all accounts, it is obvious that officers have engaged in a pattern of reckless guerrilla warfare tactics against innocent victims.

Our community has grown weary of repeatedly being victimized by the institutional racism that exists within the New York City Police Department. Somewhere in the midst of all of this confusion lies the fear of every minority citizen that they could be next. It should be noted that these incidents never occur in predominately white neighborhoods.

We are deeply disturbed by the actions of the police; shocked and amazed that it took four officers and 41 bullets to bring one man down. This individual was a human being, not an animal. At some point, the leadership of the city has to acknowledge that it is incapable of controlling the growing number of misfits within its ranks and yield to a more objective body that is not driven by politics. We have a number of excellent police officers in New York City whose reputations are being strongly impacted by those who do not have the best interest of our citizenry at heart. One indication of the systemic nature of the problem is the fact that a Street Crimes Unit with life and death power over citizens was comprised of four inexperienced officers under 27 years of age.

Madam Attorney General, this is a very serious matter and requires a very thorough and comprehensive investigation. These last few years have been emotionally draining for the people of New York and I call on you to respond as soon as possible to the urgency of this matter.

Sincerely yours,

MAJOR R. OWENS,
Member of Congress.

Again, I do not need to read a list of the demands that have been made over the years. I have been involved for many years, and the patterns are the same on police brutality and the ending of police killings. We have made certain demands, and those demands still are legitimate.

We demand, and the way to solve the problem, probably not only New York City but across the country, is to have special prosecutors appointed for police brutality and police killing cases. The way to solve it is to have a situation where any locality anywhere in the country can hire policemen from among its own citizens. People who live and work in the same community are less likely to participate in abusive behavior.

In New York, the demand also should include the end of a 48-hour rule where you cannot even interrogate a policeman about an incident of brutality or killing for 48 hours. Union contract specifics that, and there are numerous other demands which have been applied. The question over the years, made over the years, that is still applicable.

So I think what we need in New York is a basic campaign, for a campaign or a crusade for basic human rights. We need to call upon the whole world to take a look at what is happening in New York and compare it to Kosovo. In one sense, they are very different; in another sense, the oppression and the tyranny that has taken place in New York is a preview of coming attractions. It is a very sophisticated kind of oppression.

The virus of totalitarianism, the virus of tyranny, have been introduced into the democratic culture of New York City and New York State. The virus manifests itself in both ways, through the fact that education is neglected, abandoned. Even when there are clear resources available, they refuse to apply them to education. The Governor of New York produced a budget which had additional money for the creation and construction of prisons while at the same time he made cuts in education at the elementary and secondary level and also at the higher education level.

This is a pattern now of both the Governor and the Mayor. Both happen to be Republicans, both are running for or are interested in national office, both are trying to make a statement for the rest of the country. Therefore, I think it is quite fitting and proper that I should stand here on the House of Representatives' floor talking to people all over the country about this virus that has been introduced into democracy in New York State and New York City. It is something that we have to contend with and respond to.

And I do believe there is in America a caring majority, that most people care about democracy. Really, they just do not want democracy for themselves, they do not want the benefits of our great country only to be applied to just themselves. The majority, there is a majority, a caring majority that keeps rising up again and again when extremism raises its head. You see that manifested in many ways.

I will not go into what happened recently with respect to the ridiculous indictment through impeachment of the President and the trial that took place and the final outcome of that, how the majority of the people of America made themselves known, and they will prevail.

I think in the case of the kind of tyranny that has raised its ugly head in New York, which is a preview of coming attractions of how sophisticated vehicles and methods can be used to oppress people by neglecting their education, by degrading them, by crushing

their will, by forcing their children to eat lunch at 10 o'clock in the morning when they are still filled up with breakfast, by having coal-burning schools. Out of the 1,100 schools in New York, 275 this time last year were coal-burning schools. Now about 250 have coal-burning furnaces polluting the air, immediately polluting the atmosphere in the school and polluting the general air.

So we have an unprecedented asthma problem in New York City, and so the Mayor has an anti-asthma campaign which is phony because of the fact that during his anti-asthma campaign and his appropriation of money to fight asthma and the problem of asthma nothing is said about ending the coal-burning furnaces, removing the coal-burning furnaces. No emergency has been declared to get rid of coal-burning furnaces. You know, we are making some progress, but the City of New York has not given this any special attention.

There is an \$11 billion construction plan proposed by the Board of Education of the City of New York, \$11 billion over a 5-year period to construct new schools and renovate old schools. Periodically, every 5 years, they come up with these plans, and the fact that the plan is proposed should not mislead anybody. The last plan was not fulfilled at all. The plan that got a great deal of publicity was a plan that School Chancellor Cortinez produced less than 5 years ago which called for \$7 billion for school construction and renovation, et cetera, and he was ridiculed and driven out of town by the Mayor because he put on the table what the real construction needs were. So to have an \$11 billion plan proposed does not mean that we are ever going to spend that much unless unusual things happened.

I am here tonight to try to make some unusual things happen. I want to make some unusual things happen not only in New York City and New York State but all across the country. I would like to see some unusual things happen in the construction and renovation and repair and modernization of schools.

I am afraid that we may reach a consensus on education matters here. Both parties are now trumpeting bipartisan cooperation, and we know that that is not going to take place in certain areas, but it might take place in the case of education, and my fear is that a bipartisan deal might be at the expense of the schoolchildren in America. My fear is that a bipartisan deal on education might leave school construction in limbo or only make a token, take token steps to improve the school construction issue.

I am all in favor of everything that the President has proposed in respect to education. I endorse what he has proposed. My concern is that he does not go far enough. Certainly in the area of school construction it does not go far enough in his proposals.

I endorse the \$25 billion he proposes to finance. The simple plan is not that complicated. They will, Federal Government under the President's plan, will provide between 3 and \$4 billion to pay the interest on \$25 billion worth of bonds over a 5-year period. That is if the localities and the States will borrow the money, float the bonds and borrow the money, the Federal Government will pay the interest, which after a 5-year period, if all of this works, if every State and locality gets its share, then the Federal Government will be out of no more than about \$4 billion for interest, no more.

That is a lot of money. I am going to say that is a small token. The President's plan is the only plan on the table for school construction that is significant.

□ 1915

I have not heard a plan come from the majority, the Republicans, for school construction. They are talking about a number of other issues in education but not school construction. So I support the President's plan. It is the only plan on the table, but it does not go far enough. It does not go far enough and I want to come back to that.

I support the President's plan on no social promotion. No social promotion is a nice slogan, and it is a good idea. It is a sound concept. There are good reasons offered for it. If we are going to provide resources to help youngsters who are in trouble, we are going to give them tutors and mentors after school, we are going to provide them with some extra help during the summer, if all of those things are in place, then great. Who needs to advocate holding a youngster in the same grade if we are going to give him all that kind of help to keep him moving?

The problem with the slogan that keeps being repeated about no social promotion is that I have heard it before, and I have endorsed it before, that we should not promote children who have not reached certain levels of competence and their performance does not justify their being passed on to another grade. I have heard it many times before. I have endorsed it many times before. One of the reasons it broke down in New York City before was that there was no place to put the children that you held back.

The enrollment is increasing steadily and we are already overcrowded. The schools are overcrowded. I just said some schools, a large number of schools, force their children to eat lunch at 10:00 in the morning because the cafeteria, the lunchroom, cannot hold but a certain number. The school was built for 500 and it has a thousand youngsters so they have to feed the youngsters in cycles, and the cycle has to begin at 10:00 and end at 1:30 in order for them all to get fed. So instead of looking for some other way to solve the problem, and there must be some other way other than forcing children

to eat lunch at 10:00 in the morning, as late as 1:30, they have not chosen to find another way.

The overcrowding situation is dealt with by forcing them to eat lunch at those ungodly hours. I think it is child abuse. I think the nutritionists and the health department ought to be brought in to condemn it. I think it should be forbidden, it should be outlawed. But that is happening. Why is it happening? Because the schools are overcrowded. Therefore, if there are not social promotions, the number of children will pile up in the schools even more. They will be even more overcrowded.

In order for a policy of no social promotion to be real and to take effect and not be a fraud, the policy must be accompanied by the building of more schools. You need more school construction. You have got to act on the basics first.

No social promotion, I support that. I support the effort to increase the number of after-school centers, because the after-school programs will be part of the way to give a youngster some help so he does not, he or she does not, have to stay in the same grade; they can keep moving.

The after-school programs, the after-school programs that we have, as successful as they may be, let us look at their significance in terms of numbers. We have just increased the amount of money, or in the President's proposed budget he is increasing the amount of money, from \$200 million for the after-school programs to \$600 million. We are going to increase the number of youngsters to the point where there may be one million youngsters or 1.2 million youngsters, I do not have the exact figures on that, who will be part of the after-school programs.

However, there are 53 million youngsters in public schools in the United States; 53 million. We are going to take care of, at most, 1.2 million when there are 53 million. So whereas I endorse the after-school program, I want to see it increased.

Let us not fool ourselves. That small amount of money will not affect most of the children in the public schools of the Nation. It will not have a significant impact on education in America. It is too small and there are too many children in need out there. Not all 53 million, and the actual number is 52,700,000, not all of them need after-school centers but even if half need it that is a long ways from 1.2 million.

So the amount is too small. If after-school centers are important, and I think they are, we ought to really appropriate money which would reach the children who should be reached by those centers. We need to greatly increase that amount of money.

So I worry about the rhetoric, the rhetoric which says we are in favor of improving our schools, but not being accompanied with resources. Rhetoric without resources probably equals fraud. There is a fraudulent overcast in these small education programs that are ballyhooed a great deal.

Now I do not want to discourage making small efforts. If the darkness is out there, then light a small candle. A small candle in the dark gives some light, some hope, but let us not fool ourselves. We are not really doing anything significant to take American schools into the 21st century when you provide after-school programs for only a tiny portion of the 53 million youngsters in public schools.

We talk about technology and going into the 21st century with our schools wired, at least five classrooms and the library wired, and yet many of the schools cannot get the wiring because of the fact that they are so old until they cannot make the proper connections. They have to do extensive renovation to change the wiring or to deal with asbestos problems and they also have problems with lead in the paint or lead in the pipes.

There is a school, PS-92, in my district where they cannot drink the water from the school fountains. There is lead in the pipes that made it impossible for them to continue drinking the water. That same school has a coal-burning furnace. While I am at it, PS-92 is an outrageous example of how when there is no moral will to accomplish the process of creating safe schools, healthy schools, schools with physical facilities to do some learning, how it gets bogged down. It is easy for anything to happen.

The PS-92 saga begins with the fact that they had money appropriated to convert this coal-burning furnace at PS-92 but the \$500,000 that was first appropriated has all been spent on planning and making blueprints for the new furnace and the new heating system. They tell the parents that we are out of money, we cannot install the furnace because we have to go back and get another appropriation. Well, that kind of corruption and incompetence can go on if the people at the top do not really care.

The situation at PS-92 is so bad until the angry parents and their expression of their concern about the fact that \$500,000 was spent and still there is no furnace, it is so great until the last shipment of coal that was brought in to feed the coal-burning furnaces had police escorts.

I think it is symbolic that parents, upset and angry about the fact that a coal-burning furnace is still in place after \$500,000 has been spent, they are still told we do not have the money to change the coal-burning furnace, they are angry, the response of the city administration is to send police in with the next shipment of coal.

There is a virus, a totalitarian virus, in New York City democracy. The mindset of City Hall under Mayor Rudy Giuliani, the mindset is such that they think every problem can be solved with police; you can take the hard approach.

Why not take the moral approach and use some of the city's surplus to replace the coal-burning furnaces?

Now I was talking about the pieces in the President's program that I approve

of, but right now we cannot have technology in the schools that need it most and that need to be helped by new technology because the wiring and the asbestos, all of that, has to be dealt with. It is better in many cases to build new schools rather than to try to renovate and converting some of the crumbling buildings that our schools are housed in.

We also have direct problems of leaks, water actually coming into the buildings, into the roof, or water running down the sides, the walls. There are problems that are real emergencies that are being treated in an offhand way. The caring majority is certainly not very active here in New York City. I think there is a caring majority in New York City. I insist that if they give us some kind of blueprint as to how to get out of this mess, how we must unite in a crusade for our basic human rights and go where we have to go, if we are concerned about human rights in Kosovo then we ought to be concerned about human rights in New York City. It is subtle, more subtle, more difficult to understand in the case of New York, but if you destroy your children, generations of children, then it is a serious problem, maybe not as serious as shooting them down in cold blood, as it is in Kosovo, and New York does not face the kind of problem that Sarajevo faces where a beautiful cosmopolitan city was being destroyed by violence. I am proud of the fact that our President took the initiative, and although he only had one-third approval of the Congress and one-third public opinion approval he took the initiative and joined the effort in Yugoslavia to bring peace there. I am proud of what we are doing in Bosnia and Sarajevo and Serbia and now Kosovo.

I think we stayed too long in Bosnia and the rest of Yugoslavia. We have spent about \$8 billion, and I think that is a bit too much. I think that we should go anywhere in the world and help out in peacekeeping operations, help to save children, help to save people from genocide but when they run a game on us and begin to hustle, keep some trouble going, foment trouble to keep us there and use our military as part of their economy, I think we ought to get wise to that, but that is a subject for another discussion.

If we are concerned about human rights in Kosovo, then let us take a look at the human rights that are being violated in New York City when they do not give decent buildings, safe buildings, for children to study in.

Now you may talk about testing, national testing we need. I reversed my position on testing. I will support the White House and the administration position on testing. The problem with supporting a national testing program is that why are you going to test children in schools with coal-burning furnaces? In several schools that I visited, along with some colleagues of mine from central Brooklyn, the Martin Luther King Commission, we have a

project of going to look at the health conditions of schools and several schools that I visited one-fifth of the children had serious asthma conditions. Many of the teachers were beginning to have respiratory illnesses.

We are going to test people in those kinds of hardship situations. They do not have technology. They do not have enough books and supplies. What I call opportunities to learn are ignored and we are going to test them, but I will support theoretically the need for national testing but that controversy is going to rage for awhile. I do not think it is going to really be settled for a long time.

What I want to do is support something that I think we have agreement on. I think Republicans and Democrats both agree that in order for children to learn they need a physical facility that is safe, a physical facility that is healthy and a physical facility that is conducive to learning.

We need lights. In some of the school rooms we have, the lights are shot out and the kids are in a dark situation in parts of the classrooms. The library, they are crowded one on top of another. On and on it goes. They need a situation that is conducive to learning.

There is basic agreement that those are terrible conditions. There is basic agreement that in America all across the country, not just New York City, not just the big cities but in many rural areas, it is atrocious the conditions of the schools. We need some help.

The General Accounting Office, as I said before, estimated in 1995, that between \$110 billion and \$112 billion is needed in order to revamp the schools, in order to just get them in working conditions, not to take care of new enrollment.

Now we are in 1999, going into the year 2000, with large increases in enrollment. They project enrollment in the year 2008 will be up at 54 million children from the 53 million; there will be 54 million. So they are not going down. Whatever the demographics are, I know people are getting older, the senior citizen population is getting larger, but the children, the children who go to school, that population certainly is getting larger.

□ 1930

We have all of this happening and the response is to deal with rhetoric instead of substance.

Now, back to the President's proposal for \$25 billion in bonding authority that the Federal Government will pay the interest on. What is wrong with that proposal? Nothing, except that it does not go nearly far enough. I endorse that proposal. It is the only one on the table. Congratulations, Mr. President. He has been at it for years trying to get some movement.

Part of the reason the President fashioned this particular approach is it does not require direct appropriations, because he wanted something that he

thinks will pass. So we have a bill in the Committee on Ways and Means, the committee that is least concerned about children. They have never been that involved in education, they have the authority and they have the jurisdiction. They must deal with this construction bill.

Suppose it passed. And as I said before, suppose we passed it. New York City and New York State would not be able to make immediate use of it. They would have to have a referendum. We would have to have the State's citizens, all the citizens of the State would have to vote. The State would have to vote to allow the bonding to go forward. We cannot have bonding, we cannot make the loan that we are going to pay the interest on unless all the voters approved.

The last time we had such an issue before the voters, they did not approve it. It was voted down by the upstate voters who lived in relative luxury, schoolwise. They thought it was only for the poor children of New York City and they voted it down.

We may succeed after two or three tries, but how long will that take and how many generations will be forced to eat lunch at 10 a.m. in the morning? How many generations will be forced to deal with asbestos and lead paint, the fumes from coal-burning furnaces going into their lungs? How long do we wait while we fight these bond issues in New York State? And many other States and localities also require that the voters approve the bond before we can take advantage of that offer.

So even if we succeed and the Committee on Ways and Means should change its ways and really get serious about doing something for the children of America, even if we succeed, there is no immediate relief for the people who need it most.

But I am all for it. Let us give it a try. However, I would propose, and I hope that my colleagues will join me in proposing, that we directly fund school construction. We appropriate the money for school construction. We need, in order to have a rational respectable beginning, we need \$100 billion over a 5-year period. \$100 billion over a 5-year period is what is needed.

Mr. Speaker, I would say to the President, to the Republican majority, the Democratic minority, let us have a bipartisan approach to school construction. We all agree that whether we are for testing or not, or for after-school centers, or the whole word method or the phonics method, there are a lot of debates going on in education about various issues and methods and approaches. But here we are talking about physical facilities. If we agree that physical facilities are important, then let us unite and appropriate what is needed.

Mr. Speaker, \$100 billion over a 5-year period is a good beginning. Where are we going to get the \$100 billion from? From the surplus, Mr. President, from the surplus, majority Repub-

licans. Let us dedicate \$20 billion, or one-fifth of the surplus, for each year over the next 5 years, dedicate that to school construction. \$20 billion or one-fifth of the surplus, whichever is larger, to school construction.

Does that sound unreasonable? Are Democrats going to be labeled as "big spenders" by Republicans because they propose \$100 billion for school construction over a 5-year period? I do not think they should be, because last year we appropriated \$218 billion for highways over a 6-year period. And the overwhelming majority, more than 90 percent of the Congress, Democrats and Republicans, voted for the highway bill, for \$218 billion.

So let us not continue the fraud and say we are interested in education, when the basic problem, the problem of construction, which if we do not deal with the problem of school construction, if we do not have more classroom space, the money appropriated recently of \$1.2 billion that we all agreed to lower the size in classrooms, we cannot use it in New York City effectively because we do not have the classroom space. There are many other cities that cannot use it.

At the bottom, if we do not do anything about construction in an appropriate way, everything else is a fraud. All of the other concerns about education moves in the direction of being fraudulent. Deal with construction first. Deal with the issue that we could get agreement on. The money can come out of the surplus.

After all, we are proposing \$110 billion for defense expenditures for weapons systems that are not needed. Why do we not sell bonds to deal with those weapons systems that are not needed and give the money directly and appropriate the money directly to go to localities for school construction?

The challenge is to be real and do not join those people who want to destroy the poorest children in America. They just do not care. The country as a whole will suffer. Social Security will suffer because the workforce is not there to produce the income for Social Security. Our national security militarywise will suffer because we cannot staff our aircraft carriers. Recently we had an aircraft carrier that did not have enough staff because the people are not there in order to operate the ship.

The rest of the country needs an education system. Education is our first line of defense and first line of security and prosperity and we should act accordingly by dealing with school construction first.

GOVERNMENT PRINTING OFFICE:
"BETTER THAN EVER"

The SPEAKER pro tempore (Mr. HAYES). Under a previous order of the House, the gentleman from Maryland, Mr. HOYER, is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, I am pleased to bring to the attention of the House the following article about the Government Printing Office from the December 1998 issue of *In-Plant Graphics* which describes the GPO as "Better Than Ever." As a case in point, the article describes GPO's first-rate production and dissemination of the six-volume, 8,327-page Starr Report from last September, a mammoth production job for which the distinguished chairman of the House Judiciary Committee (Mr. HYDE) has thoughtfully commended the agency.

The article correctly notes that GPO receives little national attention. The fact is, we in Congress could not perform our legislative duties without the timely, professional, non-partisan support of the GPO. Nor could millions of our constituents enjoy an easy, no-cost path to over 140,000 government publications without GPO Access [<http://www.access.gpo.gov>], an electronic gateway to more than 70 federal databases.

Mr. Speaker, as we conduct the people's business, let's remember that we could not do so without the support of many others, including the dedicated professionals of the Government Printing Office. The article follows:

BETTER THAN EVER
(By Bob Neubauer)

GOVERNMENT PRINTING OFFICE

Annual sales	\$195.9 million
Operating budget	\$187.4 million
Full-time production employees	1,264
Total GPO full-time employees	3,375
Jobs printed per year	163,200
Annual impressions	4.7 billion

Even though it's the largest in-plant in the country and produces scores of important government documents, the Government Printing Office (GPO) doesn't usually get a lot of national attention.

That all changed in September when the Starr Report was unleashed on the world. GPO was given the arduous task of disseminating that report to an eager public. The initial report arrived on disk, but supplemental materials consisted of boxes of documents, which had to be shot as camera-ready copy. The resulting products were put on the Internet, on CD-ROMs and on paper—all under the watchful eyes of armed police officers.

"We took the extra step—just to assure Congress that we were treating this with the utmost security—of posting police officers throughout the plant at key production points," explains Andrew M. Sherman, director of the Office of Congressional, Legislative and Public Affairs. Had there been no guards, though, Sherman is confident that GPO employees would have maintained their usual extreme sensitivity to security issues.

"We have never had a record of leaks," Sherman maintains. The guards, though, seemed to have their hands full just keeping the mob of reporters at bay, he adds despite the distractions, GPO employees kept their minds on their work, Sherman says—though he admits, "there was a great deal of anxiety on everybody's part."

This situation was far from normal at GPO's Washington headquarters, where the daily production of the Federal Register and the Congressional Record are usually the top jobs. Taking up three buildings and almost 35 acres of floor space, GPO is larger than most commercial printers. Under the direction of Public Printer Michael DiMario, a presidential appointee, GPO generates \$800 million a year, \$100 million of which involves document dissemination.

Created in 1860, GPO handles congressional and executive branch printing and is in charge of distributing federal documents to the public. As large as GPO's printing operation is, though, it procures about 75 percent of its work from the private sector, and produces only the complex, time- and security-critical work.

Though certain forces in the government still grumble that GPO should be shut down, some jobs just can't be printed by the private sector, Sherman insists. A prime example is the Record. Its average size exceeds 200 pages—about the size of four to six metropolitan daily papers—but its page count has fluctuated from a low of 10 to a record of 1,912 pages. Material arrives in many different forms, including handwritten notes, and Congress sometimes stays in session until late at night. Despite all that GPO is still mandated to get 9,000 copies of the Record printed and delivered to Congress by 9 a.m. every day.

Another example is the recent Omnibus Appropriations Spending Bill. A 16-inch tall stack of documents arrived at GPO and it had to be keyed in, proofread very carefully and output in the Congressional Record in just two days. The final congressional report, completed later, was 1,600 pages long.

In producing independent counsel Starr's report, GPO showed the same trademark speed and efficiency, despite the distractions provided by the guards and the reporters. The Report was up on GPO's Web site (www.access.gpo.gov) within a half-hour of receiving a CD-ROM containing HTML files from the House of Representatives. By the evening of that same day, GPO had produced 500 loose-leaf copies for House members using DocuTechs at GPO, in the Senate and in the House. By the next morning, 13,000 additional copies had been printed on GPO's smaller 32-page 2538" Hantscho webs and bound for distribution.

"Everybody was just at their top performance here in getting it done," Sherman praises.

The overwhelming response to the GPO's Web site publication of the Starr Report was a landmark event in that it was one of the first times that such a newsworthy document was available on the Internet before it was printed. Even so, this was really just another example of how GPO has been changing to accommodate the latest technologies.

"There's a great public expectation for quick electronic access to government information and for it to be free, and we have accommodated that with our Web site," Sherman remarks. He says 15 million documents are downloaded from GPO's site each month. The band-width of the site is currently being expanded, he says.

Fiber-optics and lasers are playing increasingly large roles for GPO. Up to half of the Senate portion of the Record is transmitted to GPO from Capitol Hill via fiber-optic connections, and 80 percent of the Register is transmitted by laser beam from the Office of the Federal Register.

GPO recently took another bold step forward in technology when it purchased two new Krause America LX170 computer-to-plate systems. They will make plates for GPO's three 64-page, two-color, 3550" Hantscho web presses, which are used to print the Record, the Register, the U.S. Budget and other documents.

Though the Starr Report may have made life difficult at GPO, it also brought GPO a lot of praise and recognition. Papers like the *Wall Street Journal*, the *Hartford Courant* and the *Baltimore Sun* published articles lauding GPO. House Judiciary Committee Chairman Henry Hyde even sent a letter of praise.

"People were very impressed with our ability to get this done," says Sherman.

JERRY SOLOMON FLAG PROTECTION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from California (Mr. CUNNINGHAM) is recognized for 60 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I am joined tonight by the gentleman from New York (Mr. SWEENEY) that replaced Jerry Solomon, and the gentleman from California (Mr. HUNTER), a colleague of mine from San Diego.

Before I go into what we are going to talk about, which is a flag amendment that was first brought up before this Congress by Jerry Solomon from New York, I would make a statement to the gentleman from New York (Mr. OWENS) that Republicans will join him gladly in school construction. Last year, in the 105th, we offered a bill for school construction that gave a 30 percent tax incentive for school construction for private companies to build them. The President vetoed that, and he came back with a school construction bill.

We would even support that if the gentleman will waive Davis-Bacon, which is the union wage which costs 35 percent more to build those schools. What we propose is to have an amendment to waive Davis-Bacon, let the schools keep the money instead of going to the unions, let the schools keep it and develop teacher training or equipment for the schools and whatever.

So, I would say to the gentleman there is room for maneuver. We want school construction, but we want the majority of the money going to the schools, not to a special interest group.

Mr. OWENS. Mr. Speaker, would the gentleman from California agree to join me in a special order in the future to talk about this, the two of us?

Mr. CUNNINGHAM. I will, my friend.

Mr. Speaker, as I mentioned, the gentleman from New York (Mr. SWEENEY) took Jerry Solomon's place in New York and he swore that he would carry on the fight of the great Jerry Solomon, who just retired. And there was no one, not the gentleman from California (Mr. HUNTER), not myself or the gentleman from New York (Mr. SWEENEY), who can speak with the passion that Jerry Solomon did on this particular bill. As a matter of fact, I am going to title it the Jerry Solomon Flag Protection Act when we submit this thing.

We have 230 cosponsors, Mr. Speaker, and I think that is a great tribute to this body, both bipartisan. The great gentleman from Pennsylvania (Mr. MURTHA) is cosponsor on the other side of the aisle and well respected by both parties and will go forward with the message as well on his side. But with 230 cosponsors in the last Congress, we had 312 votes, well over the requirement of two-thirds to pass this.

What I would like to do, Mr. Speaker, is speak of just a few ideas for 5 minutes, maybe 10, and then I will turn over the mike to my colleagues and let

them have as much time as they want. We can go back and on the different issues that have come up in previous bills all the way from the sovereignty issue, to first amendment rights on the issue, and the actual flag amendment itself.

What I would like to start off the debate with, Mr. Speaker, is to start off that some would say that this violates the first amendment or that the flag is merely a piece of cloth and why should there be a penalty for the desecration of the flag?

Before a Supreme Court case called *Texas vs. Johnson*, 48 states held that it was a crime to desecrate the flag. It was a narrow Supreme Court decision by five to four that changed 200 years of policy. We think that is wrong. Eighty percent of the American people feel that that is wrong, Mr. Speaker.

Let me speak to those that would say that the flag is merely a piece of cloth. I have a friend that was a prisoner of war for nearly 6½ years in Vietnam and his treatment was not exactly in the best stead. On occasion, they would be allowed to gather together. Now, this gentleman, a POW 6½ years, it took him nearly 4 years to gather bits of thread and knit an American flag on the inside of his shirt. And when they would have a meeting, he would take his shirt off, turn it inside out, and hang it above them and they would have the meeting under this American flag.

Well, that was fine until the Vietnamese guards broke in, Mr. Speaker. They saw the prisoner without his shirt on, they looked on the wall, and saw the American flag. Well, they ripped it to shreds. They took it and stomped it in the floor and they took out this POW and brutally beat him for some 3 hours. When they brought him back into the room, he was unconscious. He had broken bones, internal damage to himself. He was so bad, his colleagues did not think that he would even survive the night, his wounds were so bad.

So, they went about and huddled in a corner just to discuss the happenings and they comforted their fellow POW as much as they could on a bale of straw and they went back in the corner. They heard a stirring and they looked out in the center of the floor and there was that broken body POW that had regained consciousness and he had drug himself to the center of the floor and started gathering those bits of thread so that he could knit another American flag.

The flag is not just a piece of cloth for all different nationalities that have come to this country and fought under the flag or served or fought for civil rights or fought battles or draped a coffin or even seen the flag fly over national tragedies. It is more than that.

Mr. Speaker, the last stanza of the Star Spangled Banner asks a question and I would ask us to think about what that stanza says. I am not going to read it, but ask my colleagues to look it up. It asks a question and I think the

answer is yes. That symbol is very, very important.

In California we had a proposition, Prop 187. It had its supporters and it had its people that did not support Prop 187. There was a group of protesters up in the northern section of my district and one of the protesters had burned an American flag. They started pouring lighter fluid on another one.

One of the protesters who was against Prop 187, which I support, he was out there protesting until the young man saw the protesters burning the American flag. He reached over and he grabbed and he protected that flag and he himself, even though once was with this group of protesters, they turned on him and brutally beat him because he was trying to save the American flag.

So for many Americans, the flag has special meaning and it is not just a piece of cloth.

If we take a look, I talked to one of my colleagues, the gentleman from San Diego, California (Mr. BILBRAY). The flag he has in his office draped the coffin of his father. He respects it that much.

The father of the gentleman from New York (Mr. SWEENEY), was a veteran who I understand his sister has their flag. And that flag is more, I guarantee, to those individuals than just a piece of cloth. It is a symbol. It is a piece of love. It is a piece of honor. It is a piece of democracy and what it stands for in this country.

Mr. Speaker, I would yield to my friends to speak from their heart. This is not a partisan issue. This is something that we deeply believe in, that over 80 percent of the American people support, Mr. Speaker, and we hope to pass this amendment in the House.

We passed it in the last Congress, but the Senate did not have time to complete it. We will pass it in the House. This time we will pass it in the Senate. It will go the President and he will sign it. It will go to the States where they have to have two-thirds to ratify it. Mr. Speaker, 49 States have petitioned Congress, 49 State governments have petitioned Congress for us to pass this amendment. So there is overwhelming support across the aisle and in the Republican party as well.

□ 1945

Mr. Speaker, I yield to the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Speaker, I just recently became a Member of this House, so I have not been a part of some of the occurrences of the past and some of the events of the past.

I have heard, though, that some people believe this House is divided by partisanship. Mr. Speaker, this House is not divided by partisanship, as my good friend the gentleman from California (Mr. CUNNINGHAM) pointed out.

To show proof of that, I commend my colleagues' attention to the list of original cosponsors of the bill to be introduced tomorrow. There are more

than 230 names on this list. More than 230 Members of this House have extended their hands across the aisle to join together to cosponsor the Flag Protection Amendment.

I congratulate the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from California (Mr. CUNNINGHAM) for going forward and putting in the hard work and the effort to obtain those cosponsors.

Together we represent the united front of Republicans and Democrats working to ensure that Old Glory will be protected from physical desecration through an amendment to the United States Constitution.

Mr. Speaker, I bring your attention to the testimony of Professor Richard D. Parker given before the Senate Committee on the Judiciary July 8 of last year. Mr. Parker is the Williams Professor of Law at Harvard Law School and a self-proclaimed liberal Democrat who, as a young man, participated in the Civil Rights movement. In the marches, Professor Parker proudly waived the flag, using it as a symbol to emphasize that we are all Americans despite our differences.

Professor Parker stated,

A robust system of free speech depends, after all, on maintaining a sense of community. It depends on some agreement that, despite our differences, we are "one," that the problem of any American is "our" problem. Without this much community, why listen to anyone else? Why not just see who can yell the loudest? Or push hardest?

It is thus for minority and unpopular viewpoints that the aspiration to, and respect for the unique symbol, of the national unity is thus most important.

Mr. Speaker, though we have a broad base of support, the Flag Protection Amendment does have its opponents. The small minority who oppose a constitutional amendment prohibiting the physical desecration of the flag believe that such a law would infringe on the first amendment.

In his testimony, Mr. Parker also makes an interesting point to those who oppose the Flag Protection Amendment. He says,

As the word goes forth that nothing is sacred, that the aspiration to unity and community is just a "point of view" competing with others, and that any hope of being noticed (if not getting a hearing) depends on behaving more and more outrageously, won't we tend to trash not just the flag, but the freedom of speech itself?

Mr. Speaker, there is a reason, as the gentleman from California (Mr. CUNNINGHAM) has pointed out, that we don't casket fallen heroes with this great flag. In fact, as the gentleman from California (Mr. CUNNINGHAM) pointed out, it is entirely appropriate and fitting today that I stand before my colleagues in support of this bill, because it was a year ago today that my father, a veteran of two theaters during World War II, passed away. I know that one of his greatest honors was serving his country, and I know that my family thought it was a great honor to have his casket draped with our great flag.

I had intended initially when I first came to this Congress to introduce my own bill, and I step back and recognize that the gentleman from California (Mr. CUNNINGHAM) and the gentleman from Pennsylvania (Mr. MURTHA) had put in many, many years in an effort to pass this legislation. Rather than stand before that and serve as an obstacle to that passage, I join happily and willingly with them for passage.

Opponents of the proposed amendments imagine themselves as champions of the theory of free speech, but their argument is based in a strange disdain for it in practice.

Mr. Speaker, I do not think there is a single Member of this list of cosponsors who does not passionately defend the right to free speech. I do as well, and I just as passionately defend this amendment. The right to free speech is the bedrock of America's founding, and the flag is a symbol of our freedom.

I implore my colleagues in this House to duly consider the remarks of Professor Parker, the considerations of all of us Americans who support this amendment and join our efforts to protect the great flag of the United States of America.

Mr. CUNNINGHAM. Mr. Speaker, I yield to the great gentleman from California (Mr. HUNTER), who is a Vietnam War veteran, Army special forces, who not only fought under the flag but nearly gave his life for it.

Mr. HUNTER. Mr. Speaker, I thank my friend for that great introduction, one of the best I have ever had, but I have to confess I did nothing special in Vietnam, and it was just that I happened to show up, like many people over there.

I want to thank my friend who really was a combat veteran and who was nominated for the Congressional Medal of Honor and the only member of the Navy to have shot down five MIGs and become an ace in the Vietnam conflict. I am just his wing man in this operation.

I want to thank the gentleman from New York (Mr. SWEENEY) for his very eloquent remarks, and I want to thank him also for the participation of his father in two of our conflicts.

I think that goes to this issue. The flag is a piece of property. It is property that represents freedom, represents sacrifice, represents in many cases the ultimate sacrifice, that is, the giving of one's life. If my colleagues see the great movie that is out now, "Saving Private Ryan," it is evident that that sacrifice in many cases was enormous.

So every American owns a piece of the flag, and that is a problem with burning it. When one is burning it, one is really burning some of the property that belongs to every American, and we do not have the right to do that.

For those who would say that burning the flag represents speech, I think that Chief Justice Rehnquist made the right observation, and I would paraphrase his words, when he said, "Burn-

ing the flag is not a political statement. It is not speech. It is an inarticulate grunt." I think that is true.

Look at all of the ways that one can communicate now with others, whether one is communicating with a large body of people or communicating just with another individual. One not only has all of the classic methods of communication, of speaking to people and, in this century, talking over the telephone, now talking over the electronic media, radio, television, one now has computers. One now has e-mail.

There have never been as many methods of speaking, of communicating as we have today because of high technology. So why do we have to say that we are going to characterize this inarticulate grunt, this burning, putting the torch to something, why are we going to classify that as speech?

In fact, I thought that speech was supposed to take the place of burning, of destruction, of destroying something to make a point. That is the whole point of speech. Speech is the alternative.

The idea that some people can only manifest their feeling about their country by burning a piece of this property that really belongs to all of us because of the joint and common American sacrifice that has touched almost every single family that lives in this land does not make any sense.

So, Mr. Speaker, I think that we are following exactly the right course here in following the lead of the gentleman from California (Mr. CUNNINGHAM) and the gentleman from New York (Mr. SWEENEY), that lead that was initiated by Jerry Solomon, a great Member of this House of Representatives, and also supported by another great patriotic gentleman who used to stand here many times with us, Bob Dornan, who flew every single airplane that the U.S. military ever made and who loved our flag and stood in front of and stood every time that flag went by, whether it was a parade or any other type of event and who used to offer very articulate arguments on behalf of the flag in this Chamber.

So let us move forward on this.

Also, I wanted to mention, the gentleman from Louisiana (Mr. LIVINGSTON) is leaving today. And watching the gentleman from California (Mr. CUNNINGHAM) make some comments about the gentleman from Louisiana in his testimonial today reminded me that the gentleman from Louisiana (Mr. LIVINGSTON) was another individual who supported this amendment very strongly and has been a great Member of this House. I know that this is his wish that we pass this amendment to protect the American flag.

So the United States is not just made of the stock market and tax cuts and the latest movie and all of the things that other people around the world think represents America. It is also made of tradition and a legacy of a lot of people, many of whom knew America for only a short period of time. If

one goes over to the Arlington Cemetery, one will notice a lot of people that were killed in America's wars that did not spend much time in this country before they were killed and did not get to have that piece of enjoyment.

But the idea that this flag is part of their legacy, part of that tradition and that it represents property, a little bit of which is owned by every single American family, that is a good fundamental principle upon which we should act to protect the American flag with this piece of legislation and ultimately with this amendment.

So I want to thank my good friend. I want to thank him also for his great service to this country in a very difficult time and his hard work. I know one thing about the gentleman from California (Mr. CUNNINGHAM) and that is he is tenacious. He will have the rest of us up here working away, pushing away on this amendment until we get this thing passed.

Mr. CUNNINGHAM. Mr. Speaker, one of the things that I would like to go through is that there has been some arguments in past debate, and it will be a handful of individuals that feel that their first amendment rights are abridged if we pass this amendment. I am not chastising their feelings or their intent. They may believe that the first amendment is touched.

But I would like to go through what some of the Supreme Court Justices have said about the first amendment rights and some other folks as well. First of all, they would say, how can you reconcile the Flag Protection Amendment with the first amendment's guarantee for free speech? It does not limit free speech, Mr. Speaker. The first amendment freedoms are not absolute.

This compatibility was consistent with the views of the framers of the Constitution who strongly supported government actions to prohibit flag desecration. As I mentioned, actually 48 States had this amendment before the famous Texas versus Johnson Supreme Court decision, which was a narrow five to four decision, which overruled 200 years of history.

Such leading proponents of individual rights, the gentleman from California (Mr. HUNTER) talks about Judge Rehnquist, but members such as fighters for justice and liberty and the first amendment, like Judge Earl Warren, Justice Abe Fortas, Justice Hugo Black, each have opinions that the Nation could consistently work with the first amendment and prosecute physical desecration of the flag.

As Justice Black, perhaps the leading exponent of the first amendment freedoms to ever sit on the Supreme Court stated, "It passes my belief that anything in the Federal Constitution bars making deliberate burning of the American flag an offense."

Former Chief Justice Earl Warren stated, "I believe that the States and the Federal Government do have the power to protect the flag from acts of desecration and disgrace."

Moreover, Justice Fortas, "The flag is a special kind of a personality." I think each person that views the flag, whether it is singing the National Anthem or The Star Spangled Banner or saying the pledge, people view that differently.

As one walks down the mall here in Washington and one looks at it, I have seen literally thousands of people stop and take a look at the flag and the other monuments that we have to this great country. But Justice Fortas, "The flag is a special kind of personality."

Its use is traditionally and universally subject to special rules and regulations. The States and the Federal Government have the power to protect the flag from acts of desecration.

Mr. Speaker, another very famous individual, Mr. Thomas Jefferson, while serving as George Washington's Secretary of State, instructed American counsels to punish those that violated our flag. James Madison pronounced flag desecration in Philadelphia as objectionable in court and requested penalties for such.

□ 2000

Well, then, when the first amendment debate was covered, they said that is fair enough, to Mr. Solomon, but. Always followed by but. Still, there is a constitutional guarantee for expression of conduct. How do you express yourself if you do not do it verbally, or if you cannot express it by burning a flag? Do you not have the right for expressing conduct?

The Supreme Court has accepted the premise that certain expressive acts are entitled to first amendment protections based on the principle that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable. That was Texas versus Johnson. But they go on to say that not all activity with an expressive component is afforded first amendment protection.

For example, someone who opposes wildlife protections cannot go out and shoot a Bald Eagle, because it is protected. It is not only a national symbol but it is wrong.

Applying these principles, the Supreme Court upheld a statute prohibiting the destruction of draft cards against the first amendment challenge. The court stated that the prohibition served a legitimate purpose, facilitating draft induction in time of national crisis, that was unrelated to the suppression of the speaker's idea since the law prohibited the conduct regardless of the message sought to be conveyed by the destruction of the draft card.

Four Supreme Court Justices, Justice Rehnquist, Justice O'Connor, Justice Stevens and Justice White, dissenting in United States versus Eichman, stated that Congress could prohibit flag desecration consistent with first amendment protections. Their reasons are as follows:

The Federal Government had a legitimate interest in protecting the intrinsic value of the American flag, which, in times of national crisis, inspires. It motivates the average citizen to make personal sacrifices in order to achieve social goals of overriding importance.

Mr. Speaker, we have all seen films of someone carrying the flag in a battlefield and going down; and his comrade, knowing that he would be killed, would pick up that flag and charge on, because it had significance. We have seen civil rights leaders carry the American flag at the forefront of their issues; their own kind of a battle fighting for justice in this country.

So I would say that under the Constitution the Supreme Court has found that this amendment is proper, it is justifiable, and that it will pass both the House, the Senate, and we feel the President will sign it and the States will ratify it and make it illegal.

Now, the amendment is not self-enacting, Mr. Speaker. It will have to go through the ratification of States. It will have to have a statute which will define the actions taken with the desecration of a flag. It will be refined. So this is not a self-enacting amendment, and that process will go through each of the States so that they can ratify their own decisions, which most of us support the States' statutes.

Would a flag amendment reduce our freedoms under the Bill of Rights? Would this be the first time in our 200-year history that an amendment has limited the rights guaranteed under the first amendment?

No, on both accounts. The proposed amendment would not reduce our freedoms under the Bill of Rights. Rather than posing a fundamental threat to our freedom under the Bill of Rights, the proposed amendment would mature constitutional freedoms. The Bill of Rights is a listing of the great freedoms our citizens enjoy today. It is not a license to engage in any type of behavior.

The proposed amendment affirms the most basic conditions of our freedom, our bond to one another and our aspirations of national unity. That is what the American flag means to most of us, national unity and what brings us together, especially in a time of need, whether it is in combat or whether in civil strife within the boundaries of these United States.

Mr. Speaker, I yield to the gentleman from California, if he has additional comments.

Mr. HUNTER. Mr. Speaker, I just want to say to my friend that I think he has stated the issue very well, and I look forward to hundreds of our colleagues coming on board this effort, as many of them already have, and making sure that we succeed.

Mr. CUNNINGHAM. I thank the gentleman from California.

Does the gentleman from New York have any closing comments?

Mr. SWEENEY. I just want to say to the gentleman from California (Mr.

CUNNINGHAM), as one of my first pieces of legislation that I have been able to cosponsor, I am honored to be here, honored to be here as part of the gentleman's effort to push forward. The flag is a part of my family's heritage, and I feel very honored to be here.

Mr. CUNNINGHAM. I thank my colleagues. God bless America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPPS (at the request of Mr. GEPHARDT) for today and tomorrow, February 23rd and 24th, on account of family illness.

Mr. DAVIS of Illinois (at the request of Mr. GEPHARDT) for today, February 23rd, on account of business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. NORTON) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

The following Members (at the request of Mr. SOUDER) to revise and extend their remarks and include extraneous material:

Mr. JONES, for 5 minutes, on February 24.

Mr. BURR of North Carolina, for 5 minutes, on February 24.

Mr. SOUDER, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, on February 24.

Mr. COBLE, for 5 minutes, on February 24.

Mr. PAUL, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. WELLER, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, on February 24.

(The following Member (at the request of Mr. OWENS) to revise and extend his remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

ADJOURNMENT

Mr. HUNTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 24, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

539. A letter from the Administrator, Food Safety and Inspection Service, Department

of Agriculture, transmitting the Department's final rule—Agency Responsibilities, Organization, and Terminology [Docket No. 97-045F] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

540. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Implementation of Preferred Lender Program and Streamlining of Guaranteed Regulations (RIN: 0560-AF38) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

541. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation of Fruits and Vegetables [Docket No. 97-107-3] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

542. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 1999-2000 Marketing Year [Docket No. FV-99-985-1 FR] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

543. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Tobacco—Importer Assessments (RIN: 0560-AF 52) received February 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

544. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Performance Standards for the Production of Certain Meat and Poultry Products [Docket No. 95-033F] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

545. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Modification to Handler Membership on the California Olive Committee [Docket No. FV99-932-2 FR] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

546. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Beef Promotion and Research; Reapportionment [No. LS-98-002] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

547. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Limiting the Volume of Small Red Seedless Grapefruit [Docket No. FV98-905-4 FR] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

548. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Dried Prunes Produced in California; Increased Assessment Rate [Docket No. FV99-993-1 FR] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

549. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenbuconazole; Reestablishment of Time-Limited Pesticide

Tolerance [OPP-300789; FRL 6059-7] (RIN: 2070-AB78) received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

550. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cinnamaldehyde; Exemption from the Requirement of a Tolerance [OPP-300769; FRL-6049-9] (RIN: 2070-AB78) received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

551. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the District of Columbia Circuit, No. 98-5021—Deaf Smith County Grain Processors, Inc. v. Dan Glickman, Secretary, United States Department of Agriculture; to the Committee on Agriculture.

552. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's 1998 Annual Report on Military Expenditures, pursuant to 22 U.S.C. 2151n(d); to the Committee on Appropriations.

553. A letter from the the Director, the Office of Management and Budget, transmitting a cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106-25); to the Committee on Appropriations and ordered to be printed.

554. A letter from the the Director, the Office of Management and Budget, transmitting a cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106-29); to the Committee on Appropriations and ordered to be printed.

555. A communication from the President of the United States, transmitting a request for emergency supplemental appropriations for the Federal Emergency Management Agency and the Small Business Administration; (H. Doc. No. 106-21); to the Committee on Appropriations and ordered to be printed.

556. A communication from the President of the United States, transmitting a request for transfers from the Information Technology Systems and Security Transfer Account; (H. Doc. No. 106-22); to the Committee on Appropriations and ordered to be printed.

557. A communication from the President of the United States, transmitting requests for FY 1999 supplemental appropriations to address urgent funding needs related to the situation in Jordan; (H. Doc. No. 106-24); to the Committee on Appropriations and ordered to be printed.

558. A communication from the President of the United States, transmitting a request for transfers from the Information Technology Systems and Related Expenses Account; (H. Doc. No. 106-26); to the Committee on Appropriations and ordered to be printed.

559. A communication from the President of the United States, transmitting requests for emergency FY 1999 supplemental appropriations for emergency disaster and reconstruction assistance expenses arising from the consequences of the recent hurricanes in Central America and the Caribbean and the recent earthquake in Colombia; (H. Doc. No. 106-27); to the Committee on Appropriations and ordered to be printed.

560. A letter from the Secretary of Defense, transmitting a report in response to the Fiscal Year 1999 National Defense Authorization Act which requires a study of architecture requirements; to the Committee on Armed Services.

561. A letter from the President and Chairman, Export-Import Bank, transmitting a report on Sub-Saharan Africa and the Export-Import Bank of the United States; to the Committee on Banking and Financial Services.

562. A letter from the General Counsel, Federal Emergency Management Agency,

transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7264] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

563. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

564. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

565. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA-7703] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

566. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA-7703] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

567. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

568. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7264] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

569. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting the Office's final rule—Consumer Credit Classified as a Loss, Slow Consumer Credit and Slow Loans [No. 98-124] (RIN: 1550-AB28) received February 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

570. A letter from the General Counsel, Corporation for National Service, transmitting the Corporation's final rule—Claims Collection (RIN: 3045-AA21) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

571. A letter from the Assistant Secretary, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Jacob K. Javits Fellowship Program—received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

572. A letter from the Secretary of Health and Human Services, transmitting a draft bill that amends the Older Americans Act of 1965 (OAA) to authorize an unprecedented new program for families who care for older relatives with chronic illnesses or disabilities by enabling States to create support networks that provide quality respite care; critical information about community-based long-term care services that best meet families' needs; and caregiver counseling, training, and supplemental services; to the Committee on Education and the Workforce.

573. A letter from the Secretary of Health and Human Services, transmitting the Department's third annual report to Congress

summarizing evaluation activities related to the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances program, pursuant to 42 U.S.C. 300X-4(g); to the Committee on Commerce.

574. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Final Technical Changes; Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14—received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

575. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Establishment Registration and Device Listing for Manufacturers and Distributors of Devices; Confirmation of Effective Date [Docket No. 98N-0520] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

576. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Connecticut; Enhanced Motor Vehicle Inspection and Maintenance Program; Approval of Maintenance Plan, Carbon Monoxide Redesignation Plan and Emissions Inventory for the Connecticut Portion of the New York-N. New Jersey-Long Island Area [CT008-7210a; A-1-FRL-6225-1] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

577. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; VOC RACT Catch-up [CT-17-1-6536a; A-1-FRL-6225-4] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

578. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Revised Format for Materials Being Incorporated by Reference for Iowa, Kansas and Nebraska [IA, KS, NE-00661066; FRL-6223-9] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

579. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut; 15 Percent Rate-of-Progress and Contingency Plans [CT-7209a; A-1-FRL-6225-2] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

580. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities; New York [Region 2 Docket No. NY30-188b, FRL-6231-7] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

581. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Removal of the Approval of the Maintenance Plan, Carbon Monoxide Redesignation Plan and Emissions

Inventory for the Connecticut Portion of the New York-N. New Jersey-Long Island Area [CT051-7209; A-1-FRL-6224-8], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

582. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills [AD-FRL-6231-8] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

583. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; San Joaquin Valley Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District [CA 164-0112a; FRL-6227-2] received February 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

584. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Illinois: Motor Vehicle Inspection and Maintenance [IL175-1a; FRL-6232-7] received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

585. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Illinois: Clean Fuel Fleet Program Revision [IL168-1a; FRL-6232-8] received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

586. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Federal Operating Permits Program [FRL-6300-9] (RIN: 2060-AG90) received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

587. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval of the Clean Air Act, Section 112(l), Delegation of Authority to Three Local Air Agencies in Washington; Correction and Clarification [FRL-6233-6] received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

588. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Section 112(l) Approval of the State of Florida's Construction Permitting Program [FRL-6229-9] received January 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

589. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Monterey Bay Unified Air Pollution Control District [CA 194-0125a; FRL-6226-5] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

590. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans;

California State Implementation Plan Revision; North Coast Unified Air Quality Management District and Northern Sonoma County Air Pollution Control District [CA-011-0071; FRL-6229-5] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

591. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision; Amado County Air Pollution Control District and Northern Sonoma County Air Pollution Control District [CA 207-0114a FRL-6229-7] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

592. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Minnesota [MN55-01-7280a; MN56-01-7281a; MN57-01-7282a; FRL-6230-3] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

593. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Allocation and Designation of Spectrum for Fixed-Satellite Services in the 37.5-38.5 GHz, 40.5-41.5 GHz, and 48.2-50.2 GHz Frequency Bands; Allocation of Spectrum to Upgrade Fixed and Mobile Allocations in the 40.5-42.5 GHz Frequency Band; Allocation of Spectrum in the 46.9-47.0 GHz Frequency Band for Wireless Service; and Allocation of Spectrum in the 37.0-38.0 GHz and 40.0-40.5 GHz for Government Operations [IB Docket No. 97-95] (RM-8811) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

594. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service [CC Docket No. 96-45] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

595. A letter from the Director, Office of Legislative and Intergovernmental Affairs, Federal Communications Commission, transmitting a copy of the fifth annual report of the Federal Communications Commission on the "Status of Competition in the Markets for the Delivery of Video Programming"; to the Committee on Commerce.

596. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—Part 76—Cable Television Service Pleading and Complaint Rules [CS Docket No. 98-54] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

597. A letter from the Chairman, Federal Energy Regulations Commission, transmitting the Commission's final rule—Open Access Same-Time Information System and Standards of Conduct [Docket No. RM95-9-003] received February 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

598. A letter from the Deputy Director, Regulations and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 93F-0151] received February 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

599. A communication from the President of the United States, transmitting a six

month periodic report on developments concerning the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 106-20); to the Committee on International Relations and ordered to be printed.

600. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 106-23); to the Committee on International Relations and ordered to be printed.

601. A letter from the Director, Defense Security Cooperation Agency, transmitting a copy of Transmittal No. A-99, which relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 97-29 of 24 July 1997, pursuant to 22 U.S.C. 2776(b)(5); to the Committee on International Relations.

602. A letter from the Director, Defense Security Cooperation Agency, transmitting a copy of Transmittal No. 04-99 which constitutes a Request for Final Approval for the Memorandum of Understanding between the U.S. and the United Kingdom concerning a Programmable Integrated Ordnance Suite (PIOS), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

603. A letter from the Director, Defense Security Cooperation Agency, transmitting a report containing an analysis and description of services performed by full-time USG employees during Fiscal Year 1998, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

604. A letter from the Secretary of State, transmitting a list of all sales and licensed commercial exports under the Act of major weapons or weapons-related defense equipment valued at \$7,000,000 or more, or of any other weapons or weapons-related defense equipment valued at \$25,000,000 or more, which the Administration considers eligible for approval during the calendar year 1999 and which may, therefore, result in notification to the Congress this year, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

605. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the forty-sixth report on the extent and disposition of United States contributions to international organizations for fiscal year 1997, pursuant to 22 U.S.C. 262a; to the Committee on International Relations.

606. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Public Notice Nationality Procedures—Amendment to Report of Birth Regulation Passport Procedures—Amendment to Revocation or Restriction of Passports Regulation—received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

607. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the determination and justification for the use of \$1 million in FY 99 funds made available to provide medical assistance to Nigeria; to the Committee on International Relations.

608. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for the use of \$500,000 in FY 1998 Economic Support Funds (ESF) for activities in the Republic of Ghana; to the Committee on International Relations.

609. A letter from the Secretary of Health and Human Services, transmitting a report of surplus real property transferred or leased

for public health purposes in fiscal year 1998, pursuant to 40 U.S.C. 484(o); to the Committee on Government Reform.

610. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-583, "Community Development Program Temporary Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

611. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-582, "Homestead Housing Preservation Temporary Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

612. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-581, "Year 2000 Government Computer Immunity Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

613. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-577 "Procurement Practices Bid Notice Period Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

614. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-575 "Human Rights Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

615. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-573, "Self-Sufficiency Promotion Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

616. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-558, "Schedule of Heights of Buildings Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

617. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-602, "Food Stamp Trafficking and Public Assistance Fraud Control Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

618. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-601, "Retired Police Officer Redeployment Amendment Act of 1998," February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

619. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-489, "Holy Comforter-St. Cyprian Roman Catholic Church Equitable Real Property Tax Relief Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

620. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-488, "Alcoholic Beverage Control DC Arena Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

621. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-487, "Summary Abatement of Life-or-Health Threatening Conditions Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section

1-233(c)(1); to the Committee on Government Reform.

622. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-490, "Retired Police Officer Redeployment Temporary Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

623. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-492, "Metropolitan Police Department Civilianization Temporary Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

624. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-491, "Criminal Background Investigation for the Protection of Children Temporary Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

625. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-494, "Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

626. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-593, "Hazardous Duty Compensation for Metropolitan Police Department Scuba Divers Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

627. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-591, "Dedication and Designation of Harry Thomas Way Temporary Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

628. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-589, "Sex Offender Registration Immunity From Liability Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

629. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-588, "Mentally Retarded Citizens Substituted Consent for Health Care Decisions and Emergency Care Definition Temporary Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

630. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-587, "Compensation Increase for the Chairperson of the Rental Housing Commission Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

631. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-586, "Sex Offender Registration Risk Assessment Clarification Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

632. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-584, "Housing Finance Agency Amendment Act of 1998" received February 10, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

633. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-496, "Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Motor Vehicle Insurance Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

634. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-497, "Child Support and Welfare Reform Compliance Temporary Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

635. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-512, "Fiscal Year 1999 Budget Support Temporary Amendment Act of 1998," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

636. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-518, "Regulation Enacting the Policy Manual for the District of Columbia Temporary Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

637. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-519, "Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Temporary Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

638. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-530, "Child Development Facilities Regulation Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

639. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-532, "Cooperative Association Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

640. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-533, "Comprehensive Plan Land Use Antenna Exemption Temporary Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

641. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-534, "Washington Convention Center Authority Second Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

642. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-535, "Executive Service Residency Requirement Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

643. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-536, "Insurance Demutualization Temporary Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

644. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-537, "School Proximity Traffic Calming Temporary Act of 1998" re-

ceived February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

645. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-542, "Public School Nurse Assignment Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

646. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-538, "Disposal of District Owned Surplus Real Property Temporary Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

647. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-543, "Regional Airports Authority Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

648. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-548, "Department of Human Services and Commission on Mental Health Services Mandatory Employee Drug and Alcohol Testing and Department of Corrections Conforming Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

649. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-547, "Mental Health Services Client Enterprise Establishment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

650. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-517, "Anti-Drunk Driving Amendment Act of 1998" received February 3, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

651. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions and Deletions—received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

652. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-531, "Day Care Policy Amendment Act of 1998" received February 3, 1999, pursuant to Public Law 93-198 section 602(c)(1); to the Committee on Government Reform.

653. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report on the First Quarter Report of Fiscal Year 1999 of the D.C. Financial Responsibility and Management Assistance Authority; to the Committee on Government Reform.

654. A letter from the Chairwoman, Equal Employment Opportunity Commission, transmitting the FY 1998 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

655. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1998, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

656. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act

during the calendar year 1998, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

657. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—General Services Administration Acquisition Regulation; Streamlining Administration Of Federal Supply Service (FSS) Multiple Award Schedule (MAS) Contracts and Clarifying Marking Requirements [APD 2800. 12A, CHGE 81] (RIN: 3090-AG81) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

658. A letter from the Chairman, International Trade Commission, transmitting Performance Plans for fiscal years 1999 and 2000; to the Committee on Government Reform.

659. A letter from the Director, National Science Foundation, transmitting an evaluation of the system of internal accounting and administrative controls of the National Science Foundation, as required by the Federal Manager's Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

660. A letter from the General Counsel, Office of Management and Budget, transmitting notification to Congress and the Comptroller General, concerning the nomination of a person to fill a vacancy in the OMB office of Controller; to the Committee on Government Reform.

661. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Hazardous Duty Pay (RIN: 3206-A129) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

662. A letter from the Secretary of Commerce, transmitting a report on management and internal accounting controls, as required by the Federal Manager's Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

663. A letter from the Secretary of Education, transmitting the FY 1998 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

664. A letter from the Secretary of Housing and Urban Development, transmitting Activities under the Freedom of Information Act for Fiscal year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform.

665. A letter from the Secretary of Transportation, transmitting the Secretary's Management Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations for the period ending September 30, 1998, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

666. A letter from the Secretary of Transportation, transmitting notification of a vacancy which was created on November 30, 1998, upon the resignation of the Assistant Secretary of Transportation for Governmental Affairs; to the Committee on Government Reform.

667. A letter from the the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 1998 through December 31, 1998 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 106-28); to the Committee on House Administration and ordered to be printed.

668. A letter from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a report on Casitas Dam, Ventura River Project in California, pursuant to 43 U.S.C. 509; to the Committee on Resources.

669. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule—Oklahoma Regulatory Program [SPATS No. OK-024-FOR] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

670. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule—Illinois Abandoned Mine Land Reclamation Plan [SPATS No. IL-093-FOR] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

671. A letter from the Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the report entitled, "America's Historic Landmarks at Risk: The Secretary of the Interior's Report of the 106th Congress on Threatened National Historic Landmarks"; to the Committee on Resources.

672. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Sacramento Splittail, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

673. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—West Virginia Regulatory Program [WV-077-FOR] received February 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

674. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Illinois Regulatory Program [SPATS No. IL-094-FOR] received February 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

675. A letter from the Service Federal Register Liaison Officer, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Emergency Rule To List the San Bernardino Kangaroo Rat as Endangered (RIN: 1018-AE59) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

676. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 26 [Docket No. 981231335-8335-01; I.D. 122498B] (RIN: 0648-AM14) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

677. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Vessel Moratorium Program [Docket No. 981016260-9018-02; I.D. 090998B] (RIN: 0648-AL20) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

678. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Season and Area Apportionment of Atka Mackerel Total Allowable Catch [Docket No. 981021264-9016-02; I.D. 092998A] (RIN: 0648-AL29) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

679. A letter from the Deputy Assistant Administrator for Fisheries, National Marine

Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Steller Sea Lion Protection Measures for the Pollock Fisheries off Alaska [Docket No. 990115017-9017-01; I.D. 011199A] (RIN: 0648-AM08) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

680. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Act Provisions; List of Fisheries and Gear, and Notification Guidelines [Docket No. 980519132-9004-02; I.D. 022498F] (RIN: 0648-AK49) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

681. A letter from the Secretary of the Interior, transmitting the 1998 Annual Report of the Migratory Bird Conservation Commission, pursuant to 16 U.S.C. 715b; to the Committee on Resources.

682. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the fourth annual report on the Communications Assistance for Law Enforcement Act (CALEA) of 1994, as amended; to the Committee on the Judiciary.

683. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, transmitting the Service's final rule—Temporary Protected Status: Amendments to the Requirements for Employment Authorization Fee, and Other Technical Amendments, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

684. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the District of Columbia Circuit, No. 97-1633—City of Abilene, Texas, et al. v. Federal Communications Commission and United States of America; to the Committee on the Judiciary.

685. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed \$5 million for the response to the emergency declared on September 21, 1998 as a result of Hurricane Georges, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

686. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed \$5 million for the response to the emergency declared on September 21, 1998 as a result of Hurricane Georges which severely impacted the Territory of the United States Virgin Islands, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

687. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed \$5 million for the response to the emergency declared on September 21, 1998 as a result of Hurricane Georges impacting the state of Florida, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

688. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-

120 Series Airplanes [Docket No. 98-NM-265-AD; Amendment 39-11012; AD 99-02-18] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

689. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 99-NM-10-AD; Amendment 39-11014; AD99-03-02] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

690. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Schempp-Hirth K.G. Models Standard-Cirrus, Nimbus-2, JANUS, and Mini-Nimbus HS-7 Sailplanes [Docket No. 98-CE-52-AD; Amendment 39-11013; AD 99-03-01] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

691. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Flight Rules in the Vicinity of Grand Canyon National Park [Docket No. 28537; SFAR-50-2; Amendment; 93-76] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

692. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Emission Standards for Turbine Engine Powered Airplanes [Docket No. FAA-1999-5018; Amendment No. 34-3] (RIN: 2120-AG68) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

693. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 and A321 Series Airplanes [Docket No. 98-NM-67-AD; Amendment 39-10993; AD 99-02-04] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

694. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-100 and -200 Series Airplanes [Docket No. 96-NM-264-AD; Amendment 39-10984; AD 98-11-04 R1] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

695. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727 Series Airplanes [Docket No. 96-NM-263-AD; Amendment 39-10983; AD 98-11-03 R1] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

696. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-200, -200C, -300, and -400 Series Airplanes [Docket No. 98-NM-291-AD 98-25-06] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

697. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D Airspace and Class E Airspace; Binghamton, NY [Airspace Docket No. 98-AEA-44] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

698. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Amendment to Class E Airspace; Laurel, DE [Airspace Docket No. 98-AEA-43] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

699. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of the Cincinnati/Northern Kentucky International Airport Class B Airspace Area, and Revocation of the Cincinnati/Northern Kentucky International Class C Airspace Area; KY [Airspace Docket No. 93-AWA-5] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

700. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Legal Description of Jet Route J-522 in the Vicinity of Rochester, NY [Airspace Docket No. 98-AEA-14] (RIN: 2120-AA66) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

701. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Concordia, KS [Airspace Docket No. 98-ACE-46] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

702. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Grinnell, IA [Airspace Docket No. 98-ACE-47] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

703. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Liberal, KS [Airspace Docket No. 98-ACE-60] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

704. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Garden City, KS [Airspace Docket No. 98-ACE-59] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

705. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76A, B, and C Helicopters [Docket No. 98-SW-37-AD; Amendment 39-10999; AD 98-17-15] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

706. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29429; Amdt. No. 1907] (RIN: 2120-AA65) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

707. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta S.p.A. Model A109C and A109K2 Helicopters [Docket No. 97-SW-55-AD; Amendment 39-11000; AD 99-02-09] (RIN: 2120-AA64) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

708. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Petroleum Refining Process Wastes; Exemption for Leachate from Non-Hazardous Waste Landfills; Final Rule [FRL-6232-3] (RIN: 2050-AE61) received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

709. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Fee for Services To Support FEMA's Offsite Radiological Emergency Preparedness Program (RIN: 3067-AC87) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

710. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Fee for Services To Support FEMA's Offsite Radiological Emergency Preparedness Program—received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

711. A letter from the General Counsel of the Department of Defense, transmitting proposed legislation to reauthorize the aviation insurance program; to the Committee on Transportation and Infrastructure.

712. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the District of Columbia Circuit, No. 97-1384—Association of American Railroads and Wisconsin Central LTD. v. Surface Transportation Board and United States of America; to the Committee on Transportation and Infrastructure.

713. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Miscellaneous Revisions to the NASA FAR Supplement—received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

714. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Board of Veterans' Appeals: Rules of Practice-Revision of Decisions on Grounds of Clear and Unmistakable Error (RIN: 2900-AJ15) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

715. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Prohibit Certain Alcohol Beverage Containers and Standards of Fill for Distilled Spirits and Wine (98R-452P) (RIN: 1512-AB89) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

716. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and Bonds (Department of the Treasury Circular, Public Debt Series No. 1-93)—received January 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

717. A letter from the Assistant Secretary for Import Administration and the Assistant United States Trade Representatives, Department of Commerce, transmitting the Annual Report on Subsidies Enforcement; to the Committee on Ways and Means.

718. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Continuation of Partnership [Revenue Ruling 99-6] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

719. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing agreements [Revenue Procedure 99-13] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

720. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Trade or Business Expense [Revenue Ruling 99-7] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

721. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Nonrecognition of Gain or Loss on Contribution [Revenue Ruling 99-5] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

722. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Timely Mailing Treated as Timely Filing/Electronic Postmark [TD 8807] (RIN: 1545-AW82) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

723. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Insurance Contributions Act (FICA) Taxation of Amounts Under Employee Benefit Plans [TD 8814] (RIN: 1545-AT27) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

724. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Unemployment Tax Act (FUTA) Taxation of Amounts Under Employee Benefit Plans [TD 8815] (RIN: 1545-AT99) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

725. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Revenue Procedure 99-14] received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

726. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Continuation Coverage Requirements Applicable to Group Health Plans [TD 8812] (RIN: 1545-AI93) received February 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

727. A letter from the Director, Congressional Budget Office, transmitting the report on "Unauthorized Appropriations and Expiring Authorizations" by the Congressional Budget Office as of January 8, 1999, pursuant to 2 U.S.C. 602(f)(3); jointly to the Committees on the Budget and Appropriations.

728. A letter from the President, Institute of Peace, transmitting a copy of the Institute's report entitled, "Building Peace—1994-1997"; jointly to the Committees on Education and the Workforce and International Relations.

729. A letter from the Assistant Secretary for Economic Development, Department of Commerce, transmitting the Department's final rule—Interim final rule—received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Transportation and Infrastructure and Banking and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

[Filed on February 16, 1999]

Mr. GILMAN: Committee on International Relations. H.R. 669. A bill to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes (Rept. 106-18). Referred to the Committee of the Whole House on the State of the Union.

Mr. GILMAN: Committee on International Relations. H.R. 434. A bill to authorize a new trade and investment policy for sub-Saharan Africa; with an amendment (Rept. 106-19 Pt. 1). Ordered to be printed.

[Filed on February 23, 1999]

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 92. A bill to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse" (Rept. 106-20). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 158. A bill to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin Federal Courthouse"; with amendments (Rept. 106-21). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 223. A bill to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal Building" (Rept. 106-22). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 396. A bill to designate the Federal building located at 1301 Clay Street in Oakland, California, as the "Ronald V. Dellums Federal Building" (Rept. 106-23). Referred to the House Calendar.

Mr. BLILEY: Committee on Commerce. H.R. 514. A bill to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes (Rept. 106-24). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 438. A bill to promote and enhance public safety through use of 911 as the universal emergency assistance number, and for other purposes; with an amendment (Rept. 106-25). Referred to the Committee of the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 75. Resolution providing for consideration of the bill (H.R. 409) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public (Rept. 106-26). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 76. Resolution providing for consideration of the bill (H.R. 438) to promote and enhance public safety through use of 911 as the universal emergency assistance number, and for other purposes (Rept. 106-27). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 77. Resolution providing for consideration of the bill (H.R. 514) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes (Rept. 106-28). Referred to the House Calendar.

Mr. BURTON: Committee on Government Reform. H.R. 416. A bill to provide for the rectification of certain retirement coverage errors affecting Federal employees, and for

other purposes (Rept. 106-29 Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

(The following occurred on February 16, 1999)

H.R. 434. Referral to the Committees on Ways and Means and Banking and Financial services extended for a period ending not later than February 26, 1999.

[Submitted February 23, 1999]

H.R. 416. Referral to the Committee on Ways and Means extended for a period ending not later than March 5, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. COBLE (for himself and Mr. CANNON):

H.R. 768. A bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes; to the Committee on the Judiciary.

By Mr. COBLE:

H.R. 769. A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 770. A bill to amend the National Labor Relations Act to ensure that the National Labor Relations Board does not decline to assert jurisdiction over the horse-racing and dogracing industries; to the Committee on Education and the Workforce.

By Mr. COBLE (for himself, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. ANDREWS, Mr. CANADY of Florida, and Mr. CHABOT):

H.R. 771. A bill to amend rule 30 of the Federal Rules of Civil Procedure to restore the stenographic preference for recording depositions; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois (for himself, Mr. BONIOR, Mr. CLYBURN, Mr. GEORGE MILLER of California, Ms. MCKINNEY, Ms. LEE, Mr. CONYERS, Mr. CUMMINGS, Mr. KUCINICH, Mr. THOMPSON of Mississippi, Mr. BROWN of Ohio, Ms. SCHAKOWSKY, Mr. CLAY, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. SANDERS, Mr. CAPUANO, Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Mr. OLVER, Mr. PALLONE, Mr. BROWN of California, Mr. PASCRELL, Mr. BALDACC, Mrs. JONES of Ohio, Mr. STARK, Mr. DELAHUNT, Mr. EVANS, Mr. HASTINGS of Florida, Mr. STUPAK, and Mr. KLING):

H.R. 772. A bill to authorize a new trade, investment, and development policy for sub-Saharan Africa that is mutually beneficial to the majority of people in sub-Saharan Africa and the United States; to the Committee on International Relations, and in addition to the Committees on Banking and Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr.

ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BALDACC, Mr. BARRETT of Wisconsin, Mr. BECERRA, Mr. BENTSEN, Mr. BERMAN, Mr. BLUMENAUER, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. CAMPBELL, Ms. CARSON, Mr. CAPUANO, Mrs. CLAYTON, Mr. CLEMENT, Mr. COSTELLO, Mr. CRAMER, Mr. CROWLEY, Ms. DEGETTE, Ms. DANNER, Mr. DICKEY, Mr. DIXON, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DOYLE, Mrs. EMERSON, Mr. ENGEL, Mr. ENGLISH, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FATTAH, Mr. FARR of California, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mr. TRAFICANT, Mr. TURNER, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VENTO, Mr. WALDEN of Oregon, Ms. WATERS, Mr. WATKINS, Mr. WALSH, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Mr. WEYGAND, Mr. WHITFIELD, Ms. WOOLSEY, Mr. WU, Mr. FILNER, Mr. FORBES, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GALLEGLY, Mr. GEJDENSON, Mr. GILCREST, Mr. HALL of Texas, Mr. HALL of Ohio, Mr. HAYES, Mr. HILLIARD, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. HOEFFEL, Mr. HULSHOF, Mr. INSLEE, Mr. JACKSON of Illinois, Mrs. JOHNSON of Connecticut, Mr. KANJORSKI, Ms. KAPTUR, Ms. KILPATRICK, Mr. KLECZKA, Mr. KOLBE, Mr. KUCINICH, Mr. LAFALCE, Mr. LAMPSON, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOBIONDO, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. MCHUGH, Mr. MARKEY, Mr. MASCARA, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mrs. MEEK of Florida, Mr. MEEHAN, Mr. METCALF, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MORAN of Kansas, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. MURTHA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. NEY, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. PASTOR, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PICKETT, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. QUINN, Mr. RAHALL, Mr. REGULA, Mr. REYES, Mr. ROEMER, Ms. ROYBAL-AL-LARD, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SAXTON, Mr. SAWYER, Mr. SHAYS, Mr. SHERMAN, Mr. SHOWS, Mr. SERRANO, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. SKELTON, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. SNYDER, Ms. STABENOW, Mr. STARK, Mr. STUPAK, Mr. TAYLOR of North Carolina, Mrs. TAUSCHER, and Mr. TIERNEY):

H.R. 773. A bill to amend the Older Americans Act of 1965 to extend the authorizations of appropriations for that Act, and to make technical corrections; to the Committee on Education and the Workforce.

By Ms. VELAZQUEZ (for herself, Mr. TALENT, Ms. MILLENDER-MCDONALD, Mrs. KELLY, Ms. SCHAKOWSKY, Mrs. BONO, Mr. PASCRELL, Mrs. CHRISTIAN-CHRISTENSEN, Mrs. MCCARTHY of New York, and Mr. HINOJOSA):

H.R. 774. A bill to amend the Small Business Act to change the conditions of participation and provide an authorization of appropriations for the women's business center program; to the Committee on Small Business.

By Mr. DAVIS of Virginia (for himself, Mr. DREIER, Mr. COX, Mr. MORAN of

Virginia, Mr. CRAMER, and Mr. DOOLEY of California):

H.R. 775. A bill to establish certain procedures for civil actions brought for damages relating to the failure of any device or system to process or otherwise deal with the transition from the year 1999 to the year 2000, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 776. A bill to amend the Occupational Safety and Health Act of 1970 to provide for coverage under that Act of employees of States and political subdivisions of States; to the Committee on Education and the Workforce.

By Mr. FATTAH (for himself, Mr. BOUCHER, Ms. NORTON, Mr. STARK, Mr. SANDLIN, and Mr. VENTO):

H.R. 777. A bill to amend the Job Training Partnership Act and the Workforce Investment Act of 1998 to require that a minimum percentage of participants in summer youth employment programs carried out under those Acts are students who have high attendance rates; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 778. A bill to authorize the Secretary of Transportation to require the use of recycled materials in the construction of Federal-aid highway projects; to the Committee on Transportation and Infrastructure.

H.R. 779. A bill to require the allocation of certain surface transportation program funds for the purchase of recycled materials; to the Committee on Transportation and Infrastructure.

By Mr. DINGELL:

H.R. 780. A bill to amend title 49, United States Code, to establish consumer protections for airline passengers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 781. A bill to require a preference for Federal contractors that hire welfare recipients, to authorize appropriations for job access and reverse commute grants, to allow the Secretary of Health and Human Services to provide guarantees of State loans to welfare recipients, making appropriations for the Substance Abuse and Mental Health Services Administration, and to amend the Internal Revenue Code of 1986 to restore certain business-related deductions; to the Committee on Government Reform, and in addition to the Committees on Transportation and Infrastructure, Ways and Means, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of Nebraska (for himself, Mr. MARTINEZ, Mr. McKEON, Mr. GOODLING, and Mr. CLAY):

H.R. 782. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2000 through 2003; to the Committee on Education and the Workforce.

By Mr. BILIRAKIS (for himself and Mr. PALLONE):

H.R. 783. A bill to ensure the availability of spectrum to amateur radio operators; to the Committee on Commerce.

By Mr. BILIRAKIS (for himself, Mr. STUMP, Mr. EVANS, Mr. SHOWS, and Mr. FILNER):

H.R. 784. A bill to amend title 38, United States Code, to authorize the payment of dependency and indemnity compensation to the surviving spouses of certain former pris-

oners of war dying with a service-connected disability rated totally disabling at the time of death; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS (for himself and Mr. BROWN of Ohio):

H.R. 785. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate that part or all of any income tax refund be paid over for use in biomedical research conducted through the National Institutes of Health; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BONO (for herself, Mrs. CAPPS, Mr. COOK, Mrs. EMERSON, and Mr. DEFazio):

H.R. 786. A bill to terminate the participation of the Forest Service in the Recreational Fee Demonstration Program; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONDIT (for himself and Mr. ORTIZ):

H.R. 787. A bill to amend title 10, United States Code, to clarify the authority of the Secretary of Defense to transfer to Federal and State agencies excess personal property of the Department of Defense suitable for use in law enforcement; to the Committee on Armed Services.

By Mr. DUNCAN (for himself, Mr. HILLEARY, Ms. PRYCE of Ohio, Mr. JENKINS, Mr. WAMP, Mr. FORD, Mr. BRYANT, Mr. GORDON, Mr. TANNER, Mr. CLEMENT, Mr. HALL of Ohio, Mr. OXLEY, Mr. GILLMOR, Mr. STRICKLAND, Ms. KAPTUR, Mr. KUCINICH, Mrs. JONES of Ohio, Mr. BROWN of Ohio, Mr. SAWYER, Mr. REGULA, Mr. TRAFICANT, Mr. NEY, and Mr. LATOURETTE):

H.R. 788. A bill to provide support for certain institutes and schools; to the Committee on Education and the Workforce.

By Mr. FOSSELLA:

H.R. 789. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide death benefits to retired public safety officers; to the Committee on the Judiciary.

H.R. 790. A bill to require the Federal Aviation Administration to address the aircraft noise problems of Staten Island, New York; to the Committee on Transportation and Infrastructure.

By Mr. GILCHREST (for himself and Mr. CARDIN):

H.R. 791. A bill to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system; to the Committee on Resources.

By Mr. GOODLATTE (for himself, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. BARTON of Texas, Mr. BATEMAN, Mr. BEREUTER, Mr. BLILEY, Mr. BONILLA, Mrs. BONO, Mr. BRADY of Texas, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMPBELL, Mr. CANNON, Mr. CHAMBLISS, Mr. COBURN, Mr. COLLINS, Mr. COOK, Mr. DAVIS of Virginia, Mr. DELAY, Mr. DICKEY, Mr. DOOLITTLE, Mr. FOLEY, Mrs. FOWLER, Mr. GANSKE, Mr. GOODE, Mr. GOSS, Mr. GRAHAM, Mr. HALL of Texas, Mr.

HANSEN, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. HUNTER, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. KASICH, Mr. KOLBE, Mr. LARGENT, Mr. LATHAM, Mr. LINDER, Mr. MANZULLO, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCINNIS, Mr. MCINTOSH, Mr. McKEON, Mr. MILLER of Florida, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NORWOOD, Mr. OXLEY, Mr. PAUL, Mr. PITTS, Mr. POMBO, Mr. RADANOVICH, Mr. RILEY, Mr. RYUN of Kansas, Mr. SCHAFFER, Mr. SESSIONS, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. THORNBERRY, Mr. THUNE, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mrs. WILSON, Mr. WOLF, Mrs. CUBIN, Mr. DEAL of Georgia, Mr. TANCREDI, Mr. WICKER, and Mr. PACKARD):

H.R. 792. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and the Workforce.

By Mr. GRAHAM (for himself, Mr. ANDREWS, Mr. TALENT, Mrs. FOWLER, Mrs. MYRICK, and Mr. METCALF):

H.R. 793. A bill to amend the Fair Labor Standards Act of 1938 to exempt licensed funeral directors and licensed embalmers from the minimum wage and overtime compensation requirements of that Act; to the Committee on Education and the Workforce.

By Mr. HASTINGS of Florida:

H.R. 794. A bill to repeal the law establishing the independent counsel; to the Committee on the Judiciary.

By Mr. HILL of Montana:

H.R. 795. A bill to provide for the settlement of the water rights claims of the Chipewewa Cree Tribe of the Rocky Boy's Reservation, and for other purposes; to the Committee on Resources.

By Mr. SAM JOHNSON of Texas (for himself, Mr. MATSUI, Mr. TANNER, Mr. NEAL of Massachusetts, Mr. CRANE, Mr. WELLER, Mr. HERGER, Mr. HOUGHTON, Mrs. JOHNSON of Connecticut, Mr. HAYWORTH, Mr. HULSHOF, Mr. LEWIS of Kentucky, Mr. ENGLISH, Ms. DUNN, Mr. McKEON, Mr. MCINNIS, Mr. MCCRERY, and Mr. DREIER):

H.R. 796. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the amount of receipts attributable to military property which may be treated as exempt foreign trade income; to the Committee on Ways and Means.

By Mr. LUCAS of Kentucky:

H.R. 797. A bill to amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the Medicaid Program; to the Committee on Commerce.

By Mr. GEORGE MILLER of California (for himself, Ms. PELOSI, Mr. BLUMENAUER, Mr. MCGOVERN, Mr. MALONEY of Connecticut, Mr. DEFazio, Mr. McDERMOTT, Mr. ACKERMAN, Mr. DELAHUNT, Mr. LANTOS, Mr. MARKEY, Mr. TIERNEY, Mrs. MINK of Hawaii, Mr. MEEHAN, Mr. STARK, Mr. WAXMAN, Ms. LEE, Ms. WOOLSEY, Mr. SHERMAN, Mr. KILDEE, Mr. BONIOR, Mr. FARR of California, Ms. ESHOO, Mr. PALLONE, Mrs. CHRISTIAN-CHRISTENSEN, Mrs. CAPPS, Mr. INSLEE, Mr. GEPHARDT, Mr. KENNEDY of Rhode Island, Mrs. JONES of Ohio, Mr. RAHALL, Mr. GEJDENSON, Mr. ROTHMAN, Mr. FRANK of Massachusetts, and Mr. SANDERS):

H.R. 798. A bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii:

H.R. 799. A bill to declare certain Amerasians to be citizens of the United States; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mr. ROEMER, Mr. BOEHNER, Mr. DEAL of Georgia, Mr. DEFAZIO, Mr. DEMINT, Mr. DIAZ-BALART, Mr. DOOLEY of California, Mr. DREIER, Mr. FORBES, Mr. GOODLING, Mr. GRAHAM, Mr. GREENWOOD, Mr. HILLEARY, Mr. HOBSON, Mr. HOEKSTRA, Ms. HOOLEY of Oregon, Mr. SAM JOHNSON of Texas, Mrs. MALONEY of New York, Mr. MORAN of Virginia, Mr. NORWOOD, Mr. PETRI, Mr. SESSIONS, Mr. SHOWS, Mr. SMITH of Washington, Mr. SOUDER, Mrs. TAUSCHER, Mr. UPTON, and Mr. WEYGAND):

H.R. 800. A bill to provide for education flexibility partnerships; to the Committee on Education and the Workforce.

By Mrs. MINK of Hawaii:

H.R. 801. A bill to modify retroactively the residence requirement for transmission of citizenship to certain individuals born abroad before 1953 to one citizen parent and one alien parent; to the Committee on the Judiciary.

By Mr. MOORE (for himself, Mr. FROST, Mr. HINCHEY, Mr. BARTLETT of Maryland, and Mr. PAUL):

H.R. 802. A bill to amend the Internal Revenue Code of 1986 to increase the annual limitation on deductible contributions to individual retirement accounts to \$5,000; to the Committee on Ways and Means.

By Mr. NETHERCUTT:

H.R. 803. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax with respect to employees who participate in the military reserves and to allow a comparable credit for participating self-employed individuals; to the Committee on Ways and Means.

By Mr. NUSSLE (for himself, Mr. COYNE, Mr. ENGLISH, Mr. KLECZKA, Mr. BROWN of Ohio, and Mrs. MCCARTHY of New York):

H.R. 804. A bill to direct the Secretary of Health and Human Services to revise existing regulations concerning the conditions of participation for hospitals and ambulatory surgical centers under the Medicare Program relating to certified registered nurse anesthetists' services to make the regulations consistent with State supervision requirements; to the Committee on Ways and Means.

By Mr. PALLONE (for himself, Mr. BERRY, Mrs. CLAYTON, Mr. SHOWS, Ms. KILPATRICK, Ms. JACKSON-LEE of Texas, Mr. STARK, Ms. NORTON, Ms. SCHAKOWSKY, Mr. RANGEL, Mr. WEINER, Mr. WAXMAN, Mr. BROWN of Ohio, Mr. MOAKLEY, Mr. LUTHER, Mr. NADLER, Mr. HINCHEY, and Mr. ALLEN):

H.R. 805. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish therapeutic equivalence requirements for generic drugs, and for other purposes; to the Committee on Commerce.

By Mr. ROMERO-BARCELÓ (for himself, Mrs. CHRISTIAN-CHRISTENSEN, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, and Mr. WAXMAN):

H.R. 806. A bill to amend title XXI of the Social Security Act to increase the allot-

ments for territories under the State Children's Health Insurance Program; to the Committee on Commerce.

By Mr. SCARBOROUGH (for himself, Ms. NORTON, Mr. CUMMINGS, Mrs. MORELLA, Mr. HOYER, Mr. DAVIS of Virginia, Mr. MORAN of Virginia, Mr. WAXMAN, and Mr. MICA):

H.R. 807. A bill to amend title 5, United States Code, to provide portability of service credit for persons who leave employment with the Federal Reserve Board to take positions with other Government agencies; to the Committee on Government Reform.

By Mr. SMITH of Michigan (for himself, Mr. GEKAS, Mr. MINGE, Mr. SHOWS, Mr. BARRETT of Nebraska, Mr. LEACH, Mr. WATTS of Oklahoma, Mr. BOEHLERT, and Mr. MCHUGH):

H.R. 808. A bill to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 809. A bill to amend the Act of June 1, 1948, to provide for reform of the Federal Protective Service; to the Committee on the Judiciary.

By Mr. WISE (for himself, Mr. SAWYER, and Mr. NEAL of Massachusetts):

H.R. 810. A bill to establish drawback for imports of N-cyclohexyl-2-benzothiazolesulfenamide based on exports of N-tert-Butyl-2-benzothiazolesulfenamide; to the Committee on Ways and Means.

By Mr. WYNN:

H.R. 811. A bill to prohibit certain transfers or assignments of franchises, and to prohibit certain fixing or maintaining of motor fuel prices, under the Petroleum Marketing Practices Act; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H.R. 812. A bill to direct the Administrator of the Federal Aviation Administration to conduct a rulemaking proceeding to establish requirements for Alaska guide pilots who conduct flight operations, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 813. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction for certain expenses incurred by whaling captains in support of Native Alaskan subsistence whaling; to the Committee on Ways and Means.

By Mr. ARCHER:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States allowing an item veto in appropriation bills; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself, Mr. HUNTER, Mr. HULSHOF, Mr. SMITH of New Jersey, Mr. BARCIA, Mr. UNDERWOOD, Mr. KILDEE, Mr. WATTS of Oklahoma, Mr. PETERSON of Minnesota, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. LEWIS of Kentucky, Mr. LUCAS of Kentucky, and Mr. PHELPS):

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States with respect to the right to life; to the Committee on the Judiciary.

By Mr. RYAN of Wisconsin:

H.J. Res. 32. A joint resolution expressing the sense of the Congress that the President and the Congress should join in undertaking the Social Security Guarantee Initiative to strengthen and protect the retirement income security of all Americans through the creation of a fair and modern Social Security Program for the 21st century; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mrs. MALONEY of New York, and Mrs. KELLY):

H. Con. Res. 35. Concurrent resolution congratulating the State of Qatar and its citi-

zens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999; to the Committee on International Relations.

By Mr. PALLONE (for himself, Mrs. MALONEY of New York, Mr. BILIRAKIS, Ms. ROS-LEHTINEN, Mr. MCNULTY, Mr. SHERMAN, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. MCGOVERN, Mr. CROWLEY, Mr. HINCHEY, Mr. BLAGOJEVICH, Mr. EVANS, Mr. FORBES, Mr. DIAZ-BALART, Mr. ACKERMAN, and Mr. MENENDEZ):

H. Con. Res. 36. Concurrent resolution expressing the sense of Congress regarding Turkey's claim of sovereignty to the islets in the Aegean Sea called Imia by Greece and Kardak by Turkey; to the Committee on International Relations.

By Mr. SESSIONS:

H. Res. 73. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. HYDE:

H. Res. 74. A resolution providing amounts for the expenses of the Committee on the Judiciary in the One Hundred Sixth Congress; to the Committee on House Administration.

By Mr. THOMAS:

H. Res. 78. A resolution electing members of the Joint Committee on Printing and the Joint Committee of Congress on the Library; to the Committee on House Administration.

By Mr. EVANS (for himself, Mr. BLAGOJEVICH, Mr. COSTELLO, Mr. DEFAZIO, Mr. FILNER, Mr. FROST, Mr. GUTIERREZ, Mr. LIPINSKI, Mr. PHELPS, Mr. RUSH, and Ms. SCHAKOWSKY):

H. Res. 79. A resolution supporting the National Railroad Hall of Fame, Inc., of Galesburg, Illinois, in its endeavor to erect a monument known as the National Railroad Hall of Fame; to the Committee on Transportation and Infrastructure.

By Mr. STEARNS (for himself, Mr. GOODE, Mrs. MYRICK, and Mr. LINDER):

H. Res. 80. A resolution repealing rule XXIII of the Rules of the House of Representatives relating to the statutory limit on the public debt; to the Committee on Rules.

By Mr. TALENT:

H. Res. 81. A resolution providing amounts for the expenses of the Committee on Small Business in the One Hundred Sixth Congress; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XII,

3. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to House Resolution No. 11-119 requesting that in the interest of fundamental fairness and due process, that no action be taken by the Congress of the United States, or any other agency of the United States Government until such time as the Commonwealth government is afforded the opportunity to respond to this report; to the Committee on Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. FOSSELLA introduced a bill (H.R. 814) for the relief of the estate of Irwin Rutman; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. COBURN, Mr. GILLMOR, Mr. GOODLATTE, Mr. SHOWS, Mr. WICKER, Mr. DEMINT, Mr. CALVERT, Mr. DICKEY, Mr. ADERHOLT, Mr. ISTOOK, Mr. SESSIONS, Mr. RILEY, Mrs. BONO, Mr. SUNUNU, Mr. MCHUGH, Mr. KUYKENDALL, Mr. KING of New York, and Mr. SHERWOOD.

H.R. 14: Mr. SHOWS, Mr. ROHRBACHER, Mr. CUNNINGHAM, Mr. NETHERCUTT, Mr. CHAMBLISS, and Mr. WATTS of Oklahoma.

H.R. 17: Mr. BOSWELL and Mr. FOLEY.

H.R. 27: Mr. PAUL, Ms. PRYCE of Ohio, Mr. SOUDER, Mr. BACHUS, Mr. GARY MILLER of California, Mr. DOOLITTLE, and Mr. SHAW.

H.R. 36: Mr. SMITH of New Jersey, Mr. BLUMENAUER, Mr. GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. LAMPSON, Mr. DELAHUNT, Ms. SCHAKOWSKY, Ms. KILPATRICK, and Mrs. CHRISTIAN-CHRISTENSEN.

H.R. 38: Mr. DOOLITTLE.

H.R. 45: Mr. KINGSTON, Mr. TERRY, Mr. TAUZIN, Mr. JOHN, Mr. GREEN of Wisconsin, Mr. BERRY, Mr. GREEN of Texas, Mr. SHOWS, Ms. ROS-LEHTINEN, Mr. SENSENBRENNER, Mrs. CHENOWETH, Mr. CRANE, Mr. CLEMENT, Mr. DOOLITTLE, Mr. SWEENEY, Mr. SHADEGG, Mr. SIMPSON, Mr. SESSIONS, Mr. FROST, and Mr. BARRETT of Nebraska.

H.R. 49: Ms. SLAUGHTER and Mr. BONIOR.

H.R. 89: Mr. DEAL of Georgia and Mr. LAMPSON.

H.R. 92: Mr. BURR of North Carolina and Mr. ETHERIDGE.

H.R. 116: Mr. PHELPS, Mr. FORBES, Mr. NADLER, Ms. LOFGREN, and Mr. INSLEE.

H.R. 160: Mr. TANCREDI.

H.R. 175: Mrs. EMERSON, Mr. BOUCHER, Mr. BERMAN, Mr. DIXON, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. ACKERMAN, Mr. BENTSEN, Mr. MEEKS of New York, Mrs. JONES of Ohio, Mr. SANDERS, Mr. PICKERING, Mr. CONDIT, Mr. CANNON, Mr. KUYKENDALL, Ms. LOFGREN, Mr. SABO, Mrs. CHRISTIAN-CHRISTENSEN, Mr. OBERSTAR, Mr. BILBRAY, and Mr. POMEROY.

H.R. 212: Mr. CHAMBLISS, Mr. SKEEN, Mr. DICKEY, Mr. ABERCROMBIE, Mrs. EMERSON, Mr. HASTINGS of Washington, Mr. SESSIONS, and Mr. BARRETT of Nebraska.

H.R. 218: Mr. GORDON, Mr. GARY MILLER of California, Mr. WELDON of Florida, Mr. PORTMAN, Mr. SESSIONS, and Mr. SWEENEY.

H.R. 219: Mr. MICA, Mr. TALENT, and Mrs. BONO.

H.R. 220: Mr. SENSENBRENNER.

H.R. 221: Mr. EWING.

H.R. 222: Ms. LOFGREN, Mr. MICA, and Mr. SHOWS.

H.R. 232: Mr. HOUGHTON and Mr. GOODLING.

H.R. 239: Mr. LATOURETTE, Mr. PRICE of North Carolina, Mr. SABO, Mr. JOHN, Ms. RIVERS, Mr. BALDACCI, Mr. GILMAN, Mr. McNULTY, Mr. WELLER, Mr. LAZIO, Mr. SNYDER, Mr. HOLDEN, Mrs. JONES of Ohio, Mr. GORDON, Mr. WYNN, Mr. TANCREDI, Mr. BAIRD, Ms. SLAUGHTER, Mr. CLEMENT, Mr. FRANK of Massachusetts, Mrs. Christian-Christensen, Mr. FORBES, and Mr. HOYER.

H.R. 271: Mr. MARKEY and Ms. LOFGREN.

H.R. 274: Mr. ACKERMAN and Mr. LOBIONDO.

H.R. 275: Mr. GOODLING.

H.R. 306: Mr. NADLER, Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Mrs. TAUSCHER, Ms. LOFGREN, and Mr. ETHERIDGE.

H.R. 315: Mr. LIPINSKI, Ms. WATERS, and Mr. MATSUI.

H.R. 325: Mr. BORSKI, Mr. BROWN of California, Mr. DICKS, Mr. HASTINGS of Florida, and Ms. LOFGREN.

H.R. 329: Mr. BROWN of Ohio, Mr. ENGEL, Mr. McNULTY, Ms. KILPATRICK, Mr. FROST, Mr. TOWNS, Mrs. TAUSCHER, and Mr. FARR of California.

H.R. 330: Mr. BURTON of Indiana and Mr. ROHRBACHER.

H.R. 346: Mr. LARGENT, Mr. HALL of Texas, Mr. HAYWORTH, Mr. GOODE, Mr. MCKEON, Mr. DOOLITTLE, Mr. TIAHRT, Mr. GOODLING, and Mr. STUMP.

H.R. 347: Mr. DOOLITTLE.

H.R. 348: Mr. GOODLING.

H.R. 351: Mr. CUNNINGHAM, Mr. MORAN of Kansas, Mr. FILNER, Mr. BACHUS, Mr. STUMP, Mr. BATEMAN, Mr. GOODLING, Mr. BONILLA, Mr. TRAFICANT, Ms. MCCARTHY of Missouri, Ms. HOLLEY of Oregon, Mr. HUTCHINSON, Mr. LEWIS of Kentucky, Mr. RAMSTAD, and Ms. PRYCE of Ohio.

H.R. 353: Mr. WEXLER, Mr. GALLEGLY, Mr. HOLDEN, Mr. EHRLICH, Mr. COX, Mr. LANTOS, Mr. JONES of North Carolina, Mr. DOOLEY of California, Mr. CALVERT, Mr. PRICE of North Carolina, Mr. GRAHAM, Mrs. TAUSCHER, and Ms. SLAUGHTER.

H.R. 355: Mr. THOMPSON of California, Mr. SCARBOROUGH, Ms. SANCHEZ, Mr. SHOWS, Ms. DEGETTE, Mr. BROWN of Ohio, Mr. GUTIERREZ, Mr. ENGLISH, Mr. BROWN of California, and Mrs. KELLY.

H.R. 357: Mr. MCGOVERN, Mr. LAMPSON, Mrs. ROUKEMA, Mr. SHAYS, Mr. SABO, Mr. SAWYER, Mr. MENENDEZ, and Mrs. CHRISTIAN-CHRISTENSEN.

H.R. 358: Mr. HOLT and Mr. DICKS.

H.R. 382: Mr. ENGEL, Mr. LAFALCE, Ms. PELOSI, Mr. LEWIS of Georgia, Mrs. CHRISTIAN-CHRISTENSEN, Mrs. MALONEY of New York, Mr. MEEKS of New York, Mr. BERMAN, Mr. REYES, and Mrs. JONES of Ohio.

H.R. 394: Mr. BONIOR and Mr. ROTHMAN.

H.R. 395: Mr. BONIOR and Mr. ROTHMAN.

H.R. 396: Mr. BARRETT of Wisconsin, Mr. HOBSON, and Ms. STABENOW.

H.R. 397: Mr. BONIOR and Mr. ROTHMAN.

H.R. 403: Ms. HOOLEY of Oregon, Mr. BALDACCI, Mr. PASTOR, Mr. SANDLIN, Mr. INSLEE, Mr. SMITH of Washington, Mr. LUCAS of Oklahoma, and Mr. RANGEL.

H.R. 412: Mr. PHELPS, Mr. FORD, Ms. KILPATRICK, Mr. FORBES, Mr. LATOURETTE, Mr. MICA, and Mr. BUYER.

H.R. 415: Mr. STARK, Ms. LOFGREN, Mr. BONIOR, Mr. HINCHEY, Mr. THOMPSON of Mississippi, and Mrs. THURMAN.

H.R. 416: Mr. WOLF and Ms. GRANGER.

H.R. 417: Mr. ABERCROMBIE.

H.R. 423: Mr. DELAY, Mr. ISTOOK, and Mr. LUCAS of Oklahoma.

H.R. 443: Mr. STARK, Mrs. ROUKEMA, Mr. DIXON, Mr. ROTHMAN, and Mr. HINCHEY.

H.R. 444: Mr. KIND of Wisconsin and Mr. PETRI.

H.R. 452: Mr. ENGLISH, Mr. COOK, and Mr. SANDERS.

H.R. 486: Mr. WAMP, Mr. WHITFIELD, and Mr. WOLF.

H.R. 488: Mrs. CAPPS, Mr. EVANS, and Mr. WEXLER.

H.R. 491: Mr. NADLER, Mr. GEORGE MILLER of California, Mr. HINCHEY, and Mr. SANDLIN.

H.R. 492: Mr. SCARBOROUGH and Mr. DOOLITTLE.

H.R. 500: Mr. ENGLISH, Mr. SHOWS, Mr. MORAN of Virginia, Ms. SLAUGHTER, Mr. MOLLOHAN, Mr. DIXON, Mr. OBEY, Mr. McDERMOTT, Ms. RIVERS, Mr. FROST, Mr. WALSH, Ms. WOOLSEY, Mr. RAHALL, Mr. DICKEY, Mr. PASTOR, Mr. DELAHUNT, Ms. DANNER, and Mr. SNYDER.

H.R. 502: Mr. GIBBONS and Mr. SHOWS.

H.R. 506: Mr. PAYNE, Ms. KILPATRICK, Mr. ENGLISH, Mr. LAFALCE, Mr. CLEMENT, Mr. EHRLICH, Mr. SHERMAN, Mr. UDALL of New Mexico, Mr. BURTON of Indiana, Mr. FATTAH, Mr. MARKEY, Mr. SCOTT, Mr. SHIMKUS, Mr. MOORE, Mr. MALONEY of Connecticut, Ms. ROYBAL-ALLARD, Mr. LARSON, and Mr. MCHUGH.

H.R. 516: Mr. LAHOOD, Mr. ISTOOK, Mr. GREEN of Wisconsin, Mr. HYDE, Mr. TANCREDI, Mr. GARY MILLER of California,

Mr. GOODE, Mr. DEAL of Georgia, and Mr. RYUN of Kansas.

H.R. 528: Mr. RAMSTAD, Mr. LEWIS of Georgia, Mr. THORNBERRY, Mr. CANADY of Florida, Mr. STEARNS, Mr. COBURN, and Mr. DEAL of Georgia.

H.R. 534: Mr. FROST.

H.R. 538: Ms. NORTON, Mr. BOUCHER, and Mr. BONIOR.

H.R. 541: Mr. WYNN, Mr. WAXMAN, Mr. ANDREWS, Mr. WEINER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SLAUGHTER, Mr. LAMPSON, Mr. HOFFFEL, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. FORD, Mr. CROWLEY, Mr. INSLEE, Mr. SHERMAN, Mr. MARKEY, and Mr. ROTHAM.

H.R. 546: Mr. WALSH, Mr. STUMP, and Mr. ENGLISH.

H.R. 571: Mr. GOODLATTE.

H.R. 573: Mr. HINCHEY, Mr. DEUTSCH, Mr. COYNE, Ms. GRANGER, Mr. QUINN, Mr. SOUDER, Mr. GEORGE of California, Mr. MCINTYRE, Mr. PEASE, Mr. LEVIN, Ms. LOFGREN, Mr. SABO, Mr. GOODE, Mr. HOFFFEL, Mr. ANDREWS, Mr. SHERMAN, Mr. WELLER, Mr. INSLEE, Mr. SISKEY, Mr. COBURN, Mr. KASICH, Mr. LATHAM, Mr. EHLERS, and Mr. BORSKI.

H.R. 576: Mr. PALLONE, Mr. KASICH, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. SHERMAN, Mr. BARRETT of Wisconsin, Mr. CLYBURN, Ms. DEGETTE, Mr. WATTS of Oklahoma, Mr. KENNEDY of Rhode Island, Mr. SESSIONS, Mr. CUMMINGS, Mr. ETHERIDGE, Mr. CONYERS, and Mrs. MEEKS of Florida.

H.R. 595: Mr. CLYBURN, Mrs. JONES of Ohio, Mr. OLVER, and Ms. NORTON.

H.R. 601: Mr. BILIRAKIS and Mr. MCCOLLUM.

H.R. 607: Mr. ENGLISH and Mr. GARY MILLER of California.

H.R. 614: Mr. SMITH of Michigan, Ms. PRYCE of Ohio, Mr. BALLENGER, Mr. GALLEGLY, Mr. GARY MILLER of California, Mr. SENSENBRENNER, Mr. DELAY, Mr. SALMON, Mr. LEWIS of Kentucky, and Mr. DOOLITTLE.

H.R. 632: Mr. DOOLITTLE, Mr. SOUDER, Mr. MANZULLO, Mr. JONES of North Carolina, Mr. FORBES, Mr. SESSIONS, and Mr. LARGENT.

H.R. 639: Mr. HILL of Montana.

H.R. 647: Mr. RYUN of Kansas, Mr. NORWOOD, Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. COBURN, Mr. GIBBONS, Mr. LUCAS of Oklahoma, Mr. WAMP, Mr. SESSIONS, Mr. NEY, and Mr. SANFORD.

H.R. 654: Mr. SHOWS and Mr. BROWN of Ohio.

H.R. 655: Mr. MCGOVERN, Mr. JACKSON of Illinois, and Mr. SERRANO.

H.R. 657: Mr. FORBES.

H.R. 664: Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Mr. RAHALL, Mr. GREEN of Texas, Mr. VENTO, Mr. STRICKLAND, and Mr. ORTIZ.

H.R. 670: Mr. BALLENGER, Mr. MCGOVERN, Ms. DEGETTE, Mr. SANDERS, Mr. INSLEE, and Mrs. CAPPS.

H.R. 685: Mr. WU and Mr. HALLOf Texas.

H.R. 709: Mr. SHERMAN, Mr. DOYLE, Ms. KILPATRICK, Ms. DEGETTE, Mr. BROWN of California, Mr. BLUMENAUER, Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Washington, and Mr. STARK.

H.R. 716: Mr. DEUTSCH, Mr. PASTOR, Mr. SAM JOHNSON of Texas, Mr. WELLER, Mr. HOUGHTON, Mr. NETHERCUTT, and Mr. CLEMENT.

H.R. 719: Mr. GIBBONS.

H.R. 730: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLAGOJEVICH, Mr. SABO, Ms. SCHAKOWSKY, Mr. COYNE, and Mr. MALONEY of Connecticut.

H.R. 732: Mr. KUCINICH, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. MINGE, Mr. BARRETT of Wisconsin, Mr. McNULTY, Mr. MARKEY, Mrs. CAPPS, Ms. SLAUGHTER, Mr. MEEHAN, Mr. BLAGOJEVICH, Mr. McDERMOTT, Mr. CAPUANO, Mr. GOODE, Mrs. MALONEY of New York, Mr. RAHALL, Mr. GUTIERREZ, Ms. KILPATRICK, Mr. COYNE, Ms. ESHOO, Mrs. MCCARTHY of New York, Ms. DEGETTE, Mr. PETERSON of Minnesota, Mr. COSTELLO, Mr. DEFazio, Ms. DELAURO, and Mr. CLAY.

H.R. 745: Mr. KILPATRICK and Mr. INSLEE.
H.R. 750: Mr. MCCARTHY of Missouri, Mr. INSLEE, and Mr. MCINNIS.

H.J. Res. 21: Mr. SWEENEY.
H. Con. Res. 8: Mr. RAMSTAD, Mr. SHOWS, Mr. DANNER, Mr. GOSS, Mr. MALONEY of New York, and Mrs. LOWEY.

H. Con. Res. 10: Mr. RILEY.
H. Con. Res. 16: Mr. GOODLING and Mr. MICA.

H. Con. Res. 21: Mr. BILBRAY and Mr. BORSKI.

H. Con. Res. 22: Mr. ROHRBACHER, Mr. DEUTSCH, Mr. FORBES, Mr. MCINTOSH, Mr. McNULTY, Mr. WELLER, Mr. ROTHAM, and Mr. KING of New York.

H. Con. Res. 24: Mr. SOUDER, Mr. PASTOR, Mr. HAYES, Mr. LUCAS of Kentucky, Mr. MALONEY of Connecticut, Mr. BACHUS, Mr. SANDLIN, Mr. FLETCHER, Mr. LEVIN, Mr. MCCRERY, Mr. BAKER, Mr. COSTELLO, Mr. BASS, Ms. DEGETTE, Mr. LAMPSON, Mr. PACKARD, Mr. SKELTON, Mrs. THURMAN, Mr. WEYGAND, Mr. UDALL of Colorado, Mr. DICKEY, Mr. LARGENT, Mr. McCOLLUM, Mr. HASTINGS of Florida, Mr. ABERCROMBIE, Ms. SCHAKOWSKY, Mr. MENENDEZ, Mrs. TAUSCHER, Mr. SHIMKUS, Mr. ETHERIDGE, Mr. MATSUI, Mr. PORTER, Mr. SNYDER, Mrs. MCCARTHY of New York, Mr. WALDEN of Oregon, Mr. HOBSON, Mr. COBLE, Mr. BLUMENAUER, Mr. RODRIGUEZ, Mr. BARRETT of Nebraska, Mr. FOSSELLA, Mr. WU, Mr. RYUN of Kansas, Mr. GILMAN, Mrs. MEEK of Florida, Mr. MOORE, Mr. KOLBE, Ms. STABENOW, Mr. LATOURETTE, and Mrs. ROUKEMA.

H. Con. Res. 29: Mr. BILBRAY, Mr. SKEEN, Mr. LOBIONDO, Mr. TANCREDO, Mr. WELDON of Pennsylvania, Mr. KASICH, Mr. FRANK of Massachusetts, Ms. DANNER, Mr. BALLENGER, Mr. SESSIONS, Mr. DEAL of Georgia, Mr. ENGLISH, Mr. PETERSON of Pennsylvania, and Mr. OXLEY.

H. Con. Res. 30: Mr. COOKSEY, Mrs. EMERSON, Mr. GOODE, Mr. SESSIONS, Mr. STUMP, Mr. SCHAEFFER, Mr. HILL of Montana, Mr. LINDER, and Mr. GUTKNECHT.

H. Con. Res. 32: Mr. FOSSELLA and Mr. FROST.

H. Con. Res. 33: Mr. ROMERO-BARCELO, Mr. JACKSON of Illinois, Ms. CARSON, Mr. DIXON, Mr. BISHOP, Mr. LEWIS of Georgia, Mr. CLYBURN, and Mrs. MEEK of Florida.

H. Res. 41: Mr. ABERCROMBIE, Mr. BOEHLERT, Mr. CALVERT, Ms. DANNER, Mr. ENGLISH, Mr. ETHERIDGE, Mr. FORD, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mrs. MEEK of Florida, Ms. MCCARTHY of Missouri, Mrs. MINK of Hawaii, Mr. REYES, Mr. ROMERO-BARCELO, Mr. RUSH, Mr. SESSIONS, and Mr. TAYLOR of Mississippi.

PETITIONS, ETC.

Under clause 3 of rule XII,

1. The SPEAKER presented a petition of Lexington Fayette Urban County Government, relative to Resolution No. 697-98 commending the members of Congress from coastal states for pursuing legislation to share a portion of outer continental shelf revenue with all states and territories, commending the outer continental shelf policy committee for its recommendations, and urging the United States Congress to pass legislation sharing a meaningful portion of outer continental shelf mineral revenue with all states and territories and land-based recreation and wildlife conservation and restoration; which was referred to the Committee on Resources.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 409

OFFERED BY: Mr. KUCINICH

AMENDMENT NO. 1: Page 5, after line 22, insert the following:

(5) establishes that the policies and procedures of the agency shall provide that in a case in which an applicant has submitted an application for Federal financial assistance to the agency that includes a technical error—

(A) the applicant shall be notified promptly of the error and permitted to submit the appropriate information to correct the error within 7 days of receipt of notice by the applicant of the error;

(B) the application shall continue to be considered by the agency during the period before the applicant is notified and the 7-day period during which the applicant is permitted to correct the error; and

(C) if the applicant corrects the error within the 7-day period, the agency shall continue to consider the application;

Page 5, line 23, strike “(5)” and insert “(6)”.

Page 6, line 3, strike “(6)” and insert “(7)”.

Page 6, line 7, strike “(7)” and insert “(8)”.

H.R. 409

OFFERED BY: Mr. TRAFICANT

AMENDMENT NO. 2: Page 11, after line 23, add the following:

SEC. 12. SENSE OF CONGRESS REGARDING FEDERAL FINANCIAL ASSISTANCE.

It is the sense of Congress that Federal agencies, in providing Federal financial assistance for the purpose of economic development, should focus primarily on communities with high poverty and unemployment rates.

H.R. 436

OFFERED BY: Mr. HORN

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Government Waste, Fraud, and Error Reduction Act of 1999”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Purposes.

Sec. 3. Definition.

Sec. 4. Application of Act.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

Sec. 101. Improving financial management.

Sec. 102. Improving travel management.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

Sec. 201. Miscellaneous corrections to subchapter II of chapter 37 of title 31, United States Code.

Sec. 202. Barring delinquent Federal debtors from obtaining Federal benefits.

Sec. 203. Collection and compromise of nontax debts and claims.

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

Sec. 301. Authority to sell nontax debts.

Sec. 302. Requirement to sell certain nontax debts.

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

Sec. 401. Annual report on high value nontax debts.

Sec. 402. Review by Inspectors General.

Sec. 403. Requirement to seek seizure and forfeiture of assets securing high value nontax debt.

TITLE V—FEDERAL PAYMENTS

Sec. 501. Transfer of responsibility to Secretary of the Treasury with respect to prompt payment.

Sec. 502. Promoting electronic payments.

Sec. 503. Debt services account.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

(1) To reduce waste, fraud, and error in Federal benefit programs.

(2) To focus Federal agency management attention on high-risk programs.

(3) To better collect debts owed to the United States.

(4) To improve Federal payment systems.

(5) To improve reporting on Government operations.

SEC. 3. DEFINITION.

As used in this Act, the term “nontax debt” means any debt (within the meaning of that term as used in chapter 37 of title 31, United States Code) other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.

SEC. 4. APPLICATION OF ACT.

No provision of this Act shall apply to the Department of the Treasury or the Internal Revenue Service to the extent that such provision—

(1) involves the administration of the internal revenue laws; or

(2) conflicts with the Internal Revenue Service Restructuring and Reform Act of 1998, the Internal Revenue Code of 1986, or the Tariff Act of 1930.

TITLE I—GENERAL MANAGEMENT IMPROVEMENTS

SEC. 101. IMPROVING FINANCIAL MANAGEMENT.

Section 3515 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “1997” and inserting “2000”; and

(B) by inserting “Congress and” after “submit to”; and

(2) by striking subsections (e), (f), (g), and (h).

SEC. 102. IMPROVING TRAVEL MANAGEMENT.

(a) LIMITED EXCLUSION FROM REQUIREMENT REGARDING OCCUPATION OF QUARTERS.—Section 5911(e) of title 5, United States Code, is amended by adding at the end the following new sentence: “The preceding sentence shall not apply with respect to lodging provided under chapter 57 of this title.”.

(b) USE OF TRAVEL MANAGEMENT CENTERS, AGENTS, AND ELECTRONIC PAYMENT SYSTEMS.—

(1) REQUIREMENT TO ENCOURAGE USE.—The head of each executive agency shall, with respect to travel by employees of the agency in the performance of the employment duties by the employee, require, to the extent practicable, the use by such employees of travel management centers, travel agents authorized for use by such employees, and electronic reservation and payment systems for the purpose of improving efficiency and economy regarding travel by employees of the agency.

(2) PLAN FOR IMPLEMENTATION.—(A) The Administrator of General Services shall develop a plan regarding the implementation of this subsection and shall, after consultation with the heads of executive agencies, submit to Congress a report describing such plan and the means by which such agency heads plan to ensure that employees use travel management centers, travel agents, and electronic reservation and payment systems as required by this subsection.

(B) The Administrator shall submit the plan required under subparagraph (A) not later than March 31, 2000.

(c) PAYMENT OF STATE AND LOCAL TAXES ON TRAVEL EXPENSES.—

(1) IN GENERAL.—The Administrator of General Services shall develop a mechanism to ensure that employees of executive agencies are not inappropriately charged State

and local taxes on travel expenses, including transportation, lodging, automobile rental, and other miscellaneous travel expenses.

(2) REPORT.—Not later than March 31, 2000, the Administrator shall, after consultation with the heads of executive agencies, submit to Congress a report describing the steps taken, and proposed to be taken, to carry out this subsection.

TITLE II—IMPROVING FEDERAL DEBT COLLECTION PRACTICES

SEC. 201. MISCELLANEOUS CORRECTIONS TO SUBCHAPTER II OF CHAPTER 37 OF TITLE 31, UNITED STATES CODE.

(a) CHILD SUPPORT ENFORCEMENT.—Section 3716(h)(3) of title 31, United States Code, is amended to read as follows:

“(3) In applying this subsection with respect to any debt owed to a State, other than past due support being enforced by the State, subsection (c)(3)(A) shall not apply.”.

(b) DEBT SALES.—Section 3711 of title 31, United States Code, is amended by striking subsection (i).

(c) GAINSHARING.—Section 3720C(b)(2)(D) of title 31, United States Code, is amended by striking “delinquent loans” and inserting “debts”.

(d) PROVISIONS RELATING TO PRIVATE COLLECTION CONTRACTORS.—

(1) COLLECTION BY SECRETARY OF THE TREASURY.—Section 3711(g) of title 31, United States Code, is amended by adding at the end the following:

“(11) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the debtor's current employer, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

“(12) In evaluating the performance of a contractor under any contract entered into under this subsection, the Secretary of the Treasury shall consider the contractor's gross collections net of commissions (as a percentage of account amounts placed with the contractor) under the contract. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.

“(13) In selecting contractors for performance of collection services, the Secretary of the Treasury shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under Government collection contracts of similar size, if applicable. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.”.

(2) COLLECTION BY PROGRAM AGENCY.—Section 3718 of title 31, United States Code, is amended by adding at the end the following:

“(h) In attempting to collect under this subsection through the use of garnishment any debt owed to the United States, a private collection contractor shall not be precluded from verifying the current place of employment of the debtor, the location of the payroll office of the debtor's current employer, the period the debtor has been employed by the current employer of the debtor, and the compensation received by the debtor from the current employer of the debtor.

“(i) In evaluating the performance of a contractor under any contract for the performance of debt collection services entered into by an executive, judicial, or legislative agency, the head of the agency shall consider the contractor's gross collections net of commissions (as a percentage of account

amounts placed with the contractor) under the contract. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.

“(j) In selecting contractors for performance of collection services, the head of an executive, judicial, or legislative agency shall evaluate bids received through a methodology that considers the bidder's prior performance in terms of net amounts collected under government collection contracts of similar size, if applicable. The existence and frequency of valid debtor complaints shall also be considered in the evaluation criteria.”.

(3) CONSTRUCTION.—None of the amendments made by this subsection shall be construed as altering or superseding the provisions of title 11, United States Code, or section 6103 of the Internal Revenue Code of 1986.

(e) CLERICAL AMENDMENT.—Section 3720A(h) of title 31, United States Code, is amended—

(1) beginning in paragraph (3), by striking the close quotation marks and all that follows through the matter preceding subsection (i); and

(2) by adding at the end the following:

“For purposes of this subsection, the disbursing official for the Department of the Treasury is the Secretary of the Treasury or his or her designee.”.

(f) CORRECTION OF REFERENCES TO FEDERAL AGENCY.—Sections 3716(c)(6) and 3720A(a), (b), (c), and (e) of title 31, United States Code, are each amended by striking “Federal agency” each place it appears and inserting “executive, judicial, or legislative agency”.

(g) INAPPLICABILITY OF ACT TO CERTAIN AGENCIES.—Notwithstanding any other provision of law, no provision in this Act, the Debt Collection Improvement Act of 1996 (chapter 10 of title III of Public Law 104-134; 31 U.S.C. 3701 note), chapter 37 or subchapter II of chapter 33 of title 31, United States Code, or any amendments made by such Acts or any regulations issued thereunder, shall apply to activities carried out pursuant to a law enacted to protect, operate, and administer any deposit insurance funds, including the resolution and liquidation of failed or failing insured depository institutions.

(h) CONTRACTS FOR COLLECTION SERVICES.—Section 3718 of title 31, United States Code, is amended—

(1) in the first sentence of subsection (b)(1)(A), by inserting “, or, if appropriate, any monetary claim, including any claims for civil fines or penalties, asserted by the Attorney General” before the period;

(2) in the third sentence of subsection (b)(1)(A)—

(A) by inserting “or in connection with other monetary claims” after “collection of claims of indebtedness”;

(B) by inserting “or claim” after “the indebtedness”;

(C) by inserting “or other person” after “the debtor”;

(3) in subsection (d), by inserting “or any other monetary claim of” after “indebtedness owed”.

SEC. 202. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL BENEFITS.

(a) IN GENERAL.—Section 3720B of title 31, United States Code, is amended to read as follows:

“§3720B. Barring delinquent Federal debtors from obtaining Federal benefits

“(a)(1) A person shall not be eligible for the award or renewal of any Federal benefit described in paragraph (2) if the person has an outstanding nontax debt that is in a delinquent status with any executive, judicial, or legislative agency, as determined under

standards prescribed by the Secretary of the Treasury. Such a person may obtain additional Federal benefits described in paragraph (2) only after such delinquency is resolved in accordance with those standards.

“(2) The Federal benefits referred to in paragraph (1) are the following:

“(A) Financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee.

“(B) Any Federal permit or Federal license required by law.

“(b) The Secretary of the Treasury may exempt any class of claims from the application of subsection (a) at the request of an executive, judicial, or legislative agency.

“(c)(1) The head of any executive, judicial, or legislative agency may waive the application of subsection (a) to any Federal benefit that is administered by the agency based on standards promulgated by the Secretary of the Treasury.

“(2) The head of an executive, judicial, or legislative agency may delegate the waiver authority under paragraph (1) to the chief financial officer or, in the case of any Federal performance-based organization, the chief operating officer of the agency.

“(3) The chief financial officer or chief operating officer of an agency to whom waiver authority is delegated under paragraph (2) may redelegate that authority only to the deputy chief financial officer or deputy chief operating officer of the agency. Such deputy chief financial officer or deputy chief operating officer may not redelegate such authority.

“(d) As used in this section, the term ‘nontax debt’ means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 31, United States Code, is amended by striking the item relating to section 3720B and inserting the following:

“3720B. Barring delinquent Federal debtors from obtaining Federal benefits.”.

(c) CONSTRUCTION.—The amendment made by this section shall not be construed as altering or superseding the provisions of title 11, United States Code.

SEC. 203. COLLECTION AND COMPROMISE OF NONTAX DEBTS AND CLAIMS.

(a) USE OF PRIVATE COLLECTION CONTRACTORS AND FEDERAL DEBT COLLECTION CENTERS.—Paragraph (5) of section 3711(g) of title 31, United States Code, is amended to read as follows:

“(5)(A) Nontax debts referred or transferred under this subsection shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities.

“(B) The head of each executive agency that operates a debt collection center may enter into an agreement with the Secretary of the Treasury to carry out the purposes of this subsection.

“(C) The Secretary of the Treasury shall—

(i) maintain a schedule of private collection contractors and debt collection centers operated by agencies that are eligible for referral of claims under this subsection;

(ii) maximize collections of delinquent nontax debts by referring delinquent nontax debts to private collection contractors promptly;

(iii) maintain competition between private collection contractors;

(iv) ensure, to the maximum extent practicable, that a private collection contractor to which a nontax debt is referred is responsible for any administrative costs associated with the contract under which the referral is made.

"(D) As used in this paragraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

(b) LIMITATION ON DISCHARGE BEFORE USE OF PRIVATE COLLECTION CONTRACTOR OR DEBT COLLECTION CENTER.—Paragraph (9) of section 3711(g) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii);

(2) by inserting "(A)" after "(9)";

(3) in subparagraph (A) (as designated by paragraph (2) of this subsection) in the matter preceding clause (i) (as designated by paragraph (1) of this subsection), by inserting "and subject to subparagraph (B)" after "as applicable"; and

(4) by adding at the end the following:

"(B)(i) The head of an executive, judicial, or legislative agency may not discharge a nontax debt or terminate collection action on a nontax debt unless the debt has been referred to a private collection contractor or a debt collection center, referred to the Attorney General for litigation, sold without recourse, administrative wage garnishment has been undertaken, or in the event of bankruptcy, death, or disability.

"(ii) The head of an executive, judicial, or legislative agency may waive the application of clause (i) to any nontax debt, or class of nontax debts if the head of the agency determines that the waiver is in the best interest of the United States.

"(iii) As used in this subparagraph, the term 'nontax debt' means any debt other than a debt under the Internal Revenue Code of 1986 or the Tariff Act of 1930."

TITLE III—SALE OF NONTAX DEBTS OWED TO UNITED STATES

SEC. 301. AUTHORITY TO SELL NONTAX DEBTS.

(a) PURPOSE.—The purpose of this section is to provide that the head of each executive, judicial, or legislative agency shall establish a program of nontax debt sales in order to—

(1) minimize the loan and nontax debt portfolios of the agency;

(2) improve credit management while serving public needs;

(3) reduce delinquent nontax debts held by the agency;

(4) obtain the maximum value for loan and nontax debt assets; and

(5) obtain valid data on the amount of the Federal subsidy inherent in loan programs conducted pursuant to the Federal Credit Reform Act of 1990 (Public Law 93-344).

(b) SALES AUTHORIZED.—(1) Section 3711 of title 31, United States Code, is amended by inserting after subsection (h) the following new subsection:

"(i)(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) and using competitive procedures, any nontax debt owed to the United States that is administered by the agency.

"(2) Costs the agency incurs in selling nontax debt pursuant to this subsection may be deducted from the proceeds received from the sale. Such costs include—

"(A) the costs of any contract for identification, billing, or collection services;

"(B) the costs of contractors assisting in the sale of nontax debt;

"(C) the fees of appraisers, auctioneers, and realty brokers;

"(D) the costs of advertising and surveying; and

"(E) other reasonable costs incurred by the agency, as determined by the Director of the Office of Management and Budget.

"(3) Sales of nontax debt under this subsection—

"(A) shall be for—

"(i) cash; or

"(ii) cash and a residuary equity, joint venture, or profit participation, if the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the proceeds will be greater than the proceeds from a sale solely for cash;

"(B) shall be without recourse against the United States; and

"(C) shall transfer to the purchaser all rights of the United States to demand payment of the nontax debt, other than with respect to a residuary equity, joint venture, or profit participation under subparagraph (A)(ii), but shall not transfer to the purchaser any rights or defenses uniquely available to the United States.

"(3) This subsection is not intended to limit existing statutory authority of the head of an executive, judicial, or legislative agency to sell loans, nontax debts, or other assets."

SEC. 302. REQUIREMENT TO SELL CERTAIN NONTAX DEBTS.

Section 3711 of title 31, United States Code, is amended further by adding at the end the following new subsection:

"(j)(1)(A) The head of each executive, judicial, or legislative agency shall sell any nontax loan owed to the United States by the later of—

"(i) the date on which the nontax debt becomes 24 months delinquent; or

"(ii) 24 months after referral of the nontax debt to the Secretary of the Treasury pursuant to section 3711(g)(1) of title 31, United States Code. Sales under this subsection shall be conducted under the authority in section 301.

"(B) The head of an executive, judicial, or legislative agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, may exempt from sale delinquent debt or debts under this subsection if the head of the agency determines that the sale is not in the best financial interest of the United States.

"(2) The head of each executive, judicial, or legislative agency shall sell each loan obligation arising from a program administered by the agency, not later than 6 months after the loan is disbursed, unless the head of the agency determines that the sale would interfere with the mission of the agency administering the program under which the loan was disbursed, or the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that a longer period is necessary to protect the financial interests of the United States. Sales under this subsection shall be conducted under the authority in section 301.

"(3) After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of nontax debts owed to the United States unless the head of the agency, in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury, determines that the sale is not in the best financial interests of the United States. Sales under this paragraph shall be conducted under the authority of subsection (1).

"(4)(A) The head of an executive, judicial, or legislative agency shall not, without the approval of the Attorney General, sell any nontax debt that is the subject of an allegation of or investigation for fraud, or that has been referred to the Department of Justice for litigation.

"(B) The head of an executive, judicial, or legislative agency may exempt from sale under this subsection any class of nontax debts or loans if the head of the agency determines that the sale would interfere with

the mission of the agency administering the program under which the indebtedness was incurred."

TITLE IV—TREATMENT OF HIGH VALUE NONTAX DEBTS

SEC. 401. ANNUAL REPORT ON HIGH VALUE NONTAX DEBTS.

(a) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the head of each agency that administers a program that gives rise to a delinquent high value nontax debt shall submit a report to Congress that lists each such debt.

(b) CONTENT.—A report under this section shall, for each debt listed in the report, include the following:

(1) The name of each person liable for the debt, including, for a person that is a company, cooperative, or partnership, the names of the owners and principal officers.

(2) The amounts of principal, interest, and penalty comprising the debt.

(3) The actions the agency has taken to collect the debt, and prevent future losses.

(4) Specification of any portion of the debt that has been written-down administratively or due to a bankruptcy proceeding.

(5) An assessment of why the debtor defaulted.

(c) DEFINITIONS.—In this title:

(1) AGENCY.—The term "agency" has the meaning that term has in chapter 37 of title 31, United States Code, as amended by this Act.

(2) HIGH VALUE NONTAX DEBT.—The term "high value nontax debt" means a nontax debt having an outstanding value (including principal, interest, and penalties) that exceeds \$1,000,000.

SEC. 402. REVIEW BY INSPECTORS GENERAL.

The Inspector General of each agency shall review the applicable annual report to Congress required in section 401 and make such recommendations as necessary to improve performance of the agency. Each Inspector General shall periodically review and report to Congress on the agency's nontax debt collection management practices. As part of such reviews, the Inspector General shall examine agency efforts to reduce the aggregate amount of high value nontax debts that are resolved in whole or in part by compromise, default, or bankruptcy.

SEC. 403. REQUIREMENT TO SEEK SEIZURE AND FORFEITURE OF ASSETS SECURING HIGH VALUE NONTAX DEBT.

The head of an agency authorized to collect a high value nontax debt that is delinquent shall, when appropriate, promptly seek seizure and forfeiture of assets pledged to the United States in any transaction giving rise to the nontax debt. When an agency determines that seizure or forfeiture is not appropriate, the agency shall include a justification for such determination in the report under section 401.

TITLE V—FEDERAL PAYMENTS

SEC. 501. TRANSFER OF RESPONSIBILITY TO SECRETARY OF THE TREASURY WITH RESPECT TO PROMPT PAYMENT.

(a) DEFINITION.—Section 3901(a)(3) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" and inserting "Secretary of the Treasury".

(b) INTEREST.—Section 3902(c)(3)(D) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" and inserting "Secretary of the Treasury".

(c) REGULATIONS.—Section 3903(a) of title 31, United States Code, is amended by striking "Director of the Office of Management and Budget" and inserting "Secretary of the Treasury".

SEC. 502. PROMOTING ELECTRONIC PAYMENTS.

(a) EARLY RELEASE OF ELECTRONIC PAYMENTS.—Section 3903(a) of title 31, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

“(1) provide that the required payment date is—

“(A) the date payment is due under the contract for the item of property or service provided; or

“(B) no later than 30 days after a proper invoice for the amount due is received if a specific payment date is not established by contract;”;

(2) by striking “and” after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting “; and”, and by adding at the end the following:

“(10) provide that the Secretary of the Treasury may waive the application of requirements under paragraph (1) to provide for early payment of vendors in cases where an agency will implement an electronic payment technology which improves agency cash management and business practice.”.

(b) AUTHORITY TO ACCEPT ELECTRONIC PAYMENT.—

(1) IN GENERAL.—Subject to an agreement between the head of an executive agency and the applicable financial institution or institutions based on terms acceptable to the Secretary of the Treasury, the head of such agency may accept an electronic payment, including debit and credit cards, to satisfy a nontax debt owed to the agency.

(2) GUIDELINES FOR AGREEMENTS REGARDING PAYMENT.—The Secretary of the Treasury shall develop guidelines regarding agreements between agencies and financial institutions under paragraph (1).

SEC. 503. DEBT SERVICES ACCOUNT.

(a) TRANSFER OF FUNDS TO DEBT SERVICES ACCOUNT.—The Secretary of the Treasury may transfer balances in accounts established before the date of the enactment of this Act pursuant to section of 3711(g)(7) of title 31, United States Code, to the Debt Services Account established under subsection (b). All amounts transferred to the Debt Services Account under this section shall remain available until expended.

(b) ESTABLISHMENT OF DEBT SERVICES ACCOUNT.—Subsection (g)(7) of section 3711 of title 31, United States Code, is amended by striking the second sentence and inserting the following: “Any fee charged pursuant to this subsection shall be deposited into an account established in the Treasury to be known as the ‘Debt Services Account’ (hereinafter referred to in this section as the ‘Account’).”

(c) REIMBURSEMENT OF FUNDS.—Section 3711(g) of title 31, United States Code, is amended—

(1) by striking paragraph (8);

(2) by redesignating paragraphs (9) and (10) as paragraphs (8) and (9), respectively; and

(3) by amending paragraph (9) (as redesignated by paragraph (2)) to read as follows:

“(9) To carry out the purposes of this subsection, including services provided under

sections 3716 and 3720A, the Secretary of the Treasury may—

“(A) prescribe such rules, regulations, and procedures as the Secretary considers necessary;

“(B) transfer such funds from funds appropriated to the Department of the Treasury as may be necessary to meet liabilities and obligations incurred prior to the receipt of fees that result from debt collection; and

“(C) reimburse any funds from which funds were transferred under subparagraph (B) from fees collected pursuant to sections 3711, 3716, and 3720A. Any reimbursement under this subparagraph shall occur during the period of availability of the funds transferred under subparagraph (B) and shall be available to the same extent and for the same purposes as the funds originally transferred.”.

(d) DEPOSIT OF TAX REFUND OFFSET FEES.—The last sentence of section 3720A(d) of title 31, United States Code, is amended to read as follows: “Amounts paid to the Secretary of the Treasury as fees under this section shall be deposited into the Debt Services Account of the Department of the Treasury described in section 3711(g)(7) and shall be collected and accounted for in accordance with the provisions of that section.”.

H.R. 438

OFFERED BY: MR. SANDERS

AMENDMENT NO. 1: Page 10, after line 12, insert the following new section (and redesignate the succeeding section accordingly):

SEC. 6. STATE AND LOCAL AUTHORITY OVER PLACEMENT, CONSTRUCTION, AND MODIFICATION OF BROADCAST TRANSMISSION AND OTHER TELECOMMUNICATIONS FACILITIES.

(a) REPEAL OF LIMITATIONS ON REGULATION OF PERSONAL WIRELESS FACILITIES.—Section 332(c)(7)(B) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(B)) is amended—

(1) in clause (i), by striking “thereof—” and all that follows through the end and inserting “thereof shall not unreasonably discriminate among providers of functionally equivalent services.”;

(2) by striking clause (iv);

(3) by redesignating clause (v) as clause (iv); and

(4) in clause (iv), as so redesignated—

(A) in the first sentence, by striking “30 days after such action or failure to act” and inserting “30 days after exhaustion of any administrative remedies with respect to such action or failure to act”; and

(B) by striking the third sentence and inserting the following: “In any such action in which a person seeking to place, construct, or modify a tower facility is a party, such person shall bear the burden of proof.”.

(b) PROHIBITION ON ADOPTION OF RULE REGARDING PREEMPTION OF STATE AND LOCAL AUTHORITY OVER BROADCAST TRANSMISSION FACILITIES.—Notwithstanding any other provision of law, the Federal Communications Commission may not adopt as a final rule the proposed rule set forth in “Preemption of State and Local Zoning and Land Use Restrictions on Siting, Placement and Construction of Broadcast Station Transmission

Facilities”, MM Docket No. 97-182, released August 19, 1997.

(c) AUTHORITY OVER PLACEMENT, CONSTRUCTION, AND MODIFICATION OF OTHER TRANSMISSION TOWERS.—Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

“SEC. 337. STATE AND LOCAL AUTHORITY OVER PLACEMENT, CONSTRUCTION, AND MODIFICATION OF TELECOMMUNICATIONS AND BROADCAST TOWERS.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act, no provision of this Act may be interpreted to authorize any person to place, construct, or modify a broadcast tower or telecommunications tower in a manner that is inconsistent with State or local law, or contrary to an official decision of the appropriate State or local government entity having authority to approve, license, modify, or deny an application to place, construct, or modify a tower, if alternate technology is capable of delivering the broadcast or telecommunications signals without the use of a tower.

“(b) AUTHORITY REGARDING PRODUCTION OF SAFETY STUDIES.—No provision of this Act may be interpreted to prohibit a State or local government from—

“(1) requiring a person seeking authority to locate telecommunications facilities or broadcast transmission facilities within the jurisdiction of such government to produce—

“(A) environmental studies, engineering reports, or other documentation of the compliance of such facilities with radio frequency exposure limits established by the Commission; and

“(B) documentation of the compliance of such facilities with applicable Federal, State, and local aviation safety standards or aviation obstruction standards regarding objects effecting navigable airspace; or

“(2) refusing to grant authority to such person to locate such facilities within the jurisdiction of such government if such person fails to produce any studies, reports, or documentation required under paragraph (1).”.

H.R. 514

OFFERED BY: MRS. WILSON

AMENDMENT NO. 1: Page 5, strike lines 14 and 15 and insert the following:

(B) by striking “communication and divulge” and inserting “communication, and no person having intercepted such a communication shall intentionally divulge”;

(4) in the fourth sentence of subsection (a)—

(A) by inserting “(A)” after “intercepted, shall”; and

(B) by striking “thereof or” and inserting “thereof; or (B)”;

Page 5, line 16, strike “(4)” and insert “(5)”.

Page 5, line 21, strike “(5)” and insert “(6)”.

Page 6, line 1, strike “(6)” and insert “(7)”.

Page 6, line 5, strike “(7)” and insert “(8)”.

Page 6, line 10, strike “(8)” and insert “(9)”.